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University of the State of New York

New York

# State Library Bulletin

LEGISLATION No. II

January 1900

## LEGISLATION BY STATES IN 1899

### 10th Annual Comparative Summary and Index

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UNIVERSITY OF THE STATE OF NEW YORK

1900

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**University of the State of New York**

## REGENTS

**With dates of election**

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| 1874 | ANSON JUDD UPSON, D.D.       | L.L.D. | L.H.D. |   |   |   |           | Cancellor,       | Glens Falls |
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| 1873 | MARTIN I. TOWNSEND, M.A.     | L.L.D. | -      | - | - | - | Troy      |                  |             |
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| 1881 | HENRY E. TURNER              | -      | -      | - | - | - | Lowville  |                  |             |
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| 1895 | ALBERT VANDER VEER, M.D.     | Ph.D.  | -      | - | - | - | Albany    |                  |             |
| 1895 | CHARLES R. SKINNER, M.A.     | LL.D.  |        |   |   |   |           |                  |             |

Superintendent of Public Instruction, ex officio

- 1897 CHESTER S. LORD, M.A. LL.D. - - - Brooklyn  
1897 TIMOTHY L. WOODRUFF, M.A. Lieutenant-Governor, ex officio  
1899 THEODORE ROOSEVELT, B.A. LL.D. Governor, ex officio  
1899 JOHN T. McDONOUGH, LL.B. LL.D. Secretary of State, ex officio

*One vacancy*

University of the State of New York



# State Library Bulletin

## LEGISLATION

No. 11-15 Vol. 3

LEGISLATION 1899-1901: COMPARATIVE SUMMARY  
AND INDEX

TREND OF LEGISLATION IN THE UNITED STATES

TAXATION OF CORPORATIONS IN NEW YORK, MAS-  
SACHUSETTS, PENNSYLVANIA AND NEW JERSEY

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# University of the State of New York

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- 1892 WILLIAM CROSWELL DOANE D.D. LL.D.  
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*Superintendent of Public Instruction, ex officio*
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- 1899 JOHN T. McDONOUGH LL.B. LL.D.  
*Secretary of State, ex officio*
- 1900 THOMAS A. HENDRICK M.A. LL.D. - Rochester
- 1901 BENJAMIN B. ODELL JR LL.D. Governor, ex officio
- 1901 ROBERT C. PRUYN M.A. - - - Albany  
*(One vacancy)*

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Elected by regents

1900 JAMES RUSSELL PARSONS JR M.A.

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- 1890 JAMES RUSSELL PARSONS JR M.A.  
*Administrative, College and High school dep'ts*
- 1890 FREDERICK J. H. MERRILL Ph.D. *State museum*

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## PREFACE

In this highly competitive age improved methods must be quickly adopted in government as well as in industry to keep in the lead. States which do not study their neighbors' methods of government are as sure to lag behind as is the manufacturer who does not study his competitors' methods of production. This bulletin prepared by the sociology librarian Robert H. Whitten, Ph. D. is an attempt to digest and organize the enormous annual output of legislation so as to enable legislators with a minimum of labor to make use of the most recent experience of other states.

As fast as advance copies of the session laws of each state can be secured, the separate laws are summarized on cards and classified by subject. This enables the library to answer promptly frequent inquiries regarding legislation in other states. At the end of the year the summary thus prepared is printed as part of this bulletin. The aim is to summarize the laws sufficiently to give a concise comparative view of current state legislation. It is of course impracticable to give many details of long general laws, and laws of purely local interest are not included.

As a decision of the supreme court of a state or of the United States declaring a statute unconstitutional is in effect equivalent to its repeal by the legislature, a digest of such decisions is included with the laws. Constitutional amendments submitted to future action of the legislature or people, as well as those voted on since the last bulletin, are placed in the summary under their proper subject-heads, and on page 353 there is a separate table arranged by states, showing the result of votes, and referring to the marginal numbers. Besides the detailed summary of legislation, the bulletin includes a review of legislation covering the calendar year, the aim of which is to present briefly the most important and distinctive legislation and to indicate the general trend of legislation.

The references in this bulletin cover 42 states. The summary of legislation includes all legislative sessions held from Sep. 30, 1898, to Oct. 1, 1899. As Georgia has held its regular session during the last quarter of the year and the Virginia legislature is still in session at the close of the year, it is impossible to include their laws in the detailed summary and have the bulletin out in time to be of the greatest value to legislators. All the most important and distinctive measures are, however, included in the review of legislation, which is complete to Jan. 1, 1900.

MELVIL DEWEY

*Director*

## EXPLANATIONS

These must be carefully read to understand the bulletin

The summary is classified under the general heads shown in the table of contents on the cover and in greater detail on page 6. More comprehensive laws are regularly put first under the headings, and in ascertaining what legislation has been passed concerning subordinate matters under

the general subject. It is necessary to refer also to the more inclusive entries. Cross references must also be observed.

The index is an alphabetic list of all the specific topics contained in the summary, and refers to each entry by its marginal number. It is necessarily very condensed.

Only legislation only is included and when this is in the form of amendments only those clauses which add to, or materially change old enactments are cited. In case some part of the former law, still retained, is necessary for clearness, it is printed in ordinary type and new matter in italics.

The citations at the end of each entry are, as a rule, made by state, number and date of approval. In Delaware and Rhode Island, where the governor's approval is not necessary, the date of final passage by the legislature is given. In the case of bills which are passed over the governor's veto or become laws without his signature by expiration of time, the date of such passage or expiration is given. The laws of several states are without chapter numbers and references are to pages. In references to laws amended or repealed '97, 350 means laws of 1897, chapter 350.

#### ABBREVIATIONS

##### Months

Ja	January	Ap	April	Jl	July	O	October
F	February	My	May	Ag	August	N	November
Mr	March	Je	June	S	September	D	December

##### States

Ala.	Alabama	Neb.	Nebraska
Ari.	Arizona	Nev.	Nevada
Ark.	Arkansas	N. C.	North Carolina
Cal.	California	N. D.	North Dakota
Col.	Colorado	N. H.	New Hampshire
Ct.	Connecticut	N. J.	New Jersey
Del.	Delaware	N. M.	New Mexico
Fla.	Florida	N. Y.	New York
Ga.	Georgia	O.	Ohio
Ia.	Iowa	Okl.	Oklahoma
Id.	Idaho	Or.	Oregon
Ill.	Illinois	Pa.	Pennsylvania
Ind.	Indiana	R. I.	Rhode Island
Kan.	Kansas	S. C.	South Carolina
Ky.	Kentucky	S. D.	South Dakota
La.	Louisiana	Tenn.	Tennessee
Mass.	Massachusetts	Tex.	Texas
Md.	Maryland	U.	Utah
Me.	Maine	Va.	Virginia
Mich.	Michigan	Vt.	Vermont
Minn.	Minnesota	W. Va.	West Virginia
Miss.	Mississippi	Wash.	Washington
Mo.	Missouri	Wis.	Wisconsin
Mon.	Montana	Wy.	Wyoming

## Compilations of statutes

Ann. L.	Annotated laws	G. L.	General laws
Ann. S.	Annotated statutes	G. S.	General statutes
C. C.	Civil code	P. C.	Political code
C. C. P.	Code of civil procedure	P. S.	Public statutes
C. L.	Compiled laws	Pen. C.	Penal code
C. P.	Code of procedure	R. C.	Revised code
C. S.	Compiled statutes	R. S.	Revised statutes
Crim. P.	Code of criminal procedure		

## Acts. Resolves

art.	article	j. r.	joint resolution
c. r.	concurrent resolution	subdiv.	subdivision
ch.	chapter	t.	title

## Law reports

A.	Atlantic reporter	S. E.	Southeastern reporter
N. E.	Northeastern reporter	S. W.	Southwestern reporter
N. W.	Northwestern reporter	So.	Southern reporter
P.	Pacific reporter		

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The sessions are biennial and the dates 1899 unless otherwise indicated

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(extra)	2 My - 17 My	New Mexico	16 Ja - 16 Mr
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Arkansas	9 Ja - 19 Ap	(extra)	22 My - 25 My
California	2 Ja - 19 Mr	North Carolina	4 Ja - 18 Mr
Colorado	4 Ja - 3 Ap	North Dakota	3 Ja - 3 Mr
Connecticut	4 Ja - 20 Je	Oklahoma	10 Ja - 10 Mr
Delaware	3 Ja - 13 Mr	Oregon (extra)	26 S 98 - 15 O 98
Florida	4 Ap - 2 Je		9 Ja - 18 F
Georgia (annual)	25 O 98 - 17 D 98	Pennsylvania	3 Ja - 20 Ap
Idaho	2 Ja - 7 Mr	Rhode Island (extra)	22 N 98 - 23 N 98
Illinois	4 Ja - 14 Ap		19 S - 20 S
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Kansas (extra)	21 D 98 - 9 Ja		30 My - 1 Je
	10 Ja - 8 Mr	South Carolina (annual)	10 Ja - 21 F
Louisiana (extra)	8 Ag - 18 Ag	South Dakota	3 Ja - 3 Mr
Maine	4 Ja - 17 Mr	Tennessee	2 Ja - 24 Ap
Massachusetts (annual)	4 Ja - 3 Je	Texas	10 Ja - 27 My
Michigan	4 Ja - 24 Je	Utah	9 Ja - 9 Mr
Minnesota	3 Ja - 18 Ap	Vermont	5 O 98 - 1 D 98
Missouri	4 Ja - 22 My	Washington	9 Ja - 9 Mr
Montana	2 Ja - 2 Mr	West Virginia	11 Ja - 25 F
Nebraska	3 Ja - 31 Mr	Wisconsin	11 Ja - 4 My
Nevada	16 Ja - 10 Mr	Wyoming	10 Ja - 18 F
New Hampshire	7 Ja - 11 Mr		

## SESSIONS INCLUDED IN THE REVIEW BUT NOT IN THE SUMMARY

In Michigan and Virginia the legislature was still in session at the close of the year

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Michigan (extra)	18 D -		

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# State Library Bulletin

Legislation no. 11 January 1900

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## LEGISLATION BY STATES IN 1899

### 10th Annual Comparative Summary and Index

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#### REVIEW OF LEGISLATION

1 Jan.—31 Dec. 1899

**Marriage.** A measure making the passing of a medical examination a prerequisite to obtaining a marriage license passed the North Dakota senate but failed of enactment. Similar measures have recently been introduced in a number of legislatures. A Michigan act provides that no "person who has been afflicted with syphilis or gonorrhea and has not been cured of the same shall be capable of contracting marriage." The penalty for violation is a fine of from \$500 to \$1000 or imprisonment not more than five years or both; and in prosecutions husband and wife may be examined against each other and the attending physician may be compelled to testify.

**Liquor dispensaries.** The sale of liquor through public agents was first established at Athens, Ga. in 1889 and was adopted by South Carolina in 1892. South Dakota repealed its prohibitory law in 1896 and in 1898 adopted a constitutional amendment for the manufacture and sale of liquors exclusively under state control by salaried agents; but the legislature of 1899 refused to enact legislation to put the system in operation, and submitted to vote in November 1900 the repeal of the dispensary amendment. Alabama has authorized counties, cities and towns to establish dispensaries.

**Libraries.** To promote the establishment and efficiency of free public libraries, special library commissions or authorities with similar duties have now been provided in 14 states. During 1899 commissions have been established in Colorado, Indiana, Maine, Michigan and Minnesota. The movement in the direction of library extension through the establishment of state traveling libraries, first undertaken by the New York state library in 1892, has since spread to Iowa, Michigan, Ohio and New Jersey and

during the present year to Indiana, Kansas, Maine, Minnesota and Pennsylvania.

**Art. State institute.** Illinois has authorized cities to create art commissions without the approval of which no work of art may become the property of the city. Utah has established a state institute of art having a governing board of seven members appointed by the governor. The object of the institute is declared to be "to advance the interests of the fine arts, develop the influence of art in education and to foster the introduction of art in manufactures." It is the duty of the institute to make art collections, hold annual exhibits and provide annual lecture courses.

**State biologist.** In Oregon the office of the state biologist has been created to investigate the animal resources of the state and the development of such as have economic value. He will make a study of the fauna of the state and will give special attention to food fish.

**Central control of elections.** The plan adopted in Kentucky in 1898 of placing elections in the hands of a state board elected by the legislature has during the present year been followed in North Carolina. This law creates a state board of elections consisting of seven members elected biennially by the general assembly. The state board appoints and has power to remove county boards of three members who in turn appoint and may remove the registration and election officers. The two judges of election for each precinct must be of different political parties. The general election day has been changed from November to August and the first election under the new law will be held on the first Thursday in August 1900 when the constitutional amendment restricting the franchise will also be voted on.

**Suffrage.** North Carolina has submitted to vote in 1900 a constitutional amendment to disfranchise the illiterate negro. The proposed plan is similar to that adopted by Louisiana in 1898 and makes ability to read and write a section of the constitution a qualification for voting. But white illiterates are practically exempted from this educational qualification by a proviso that it shall not apply to any person entitled to vote in any state prior to Jan. 1, 1867, or to a lineal descendant of such a person who registers before Nov. 1, 1908. A similar plan was considered at the recent session of the Georgia legislature but met a decisive defeat.

**Biennial sessions.** In New York and Georgia bills for submitting the question of biennial sessions to popular vote were defeated. Though but six states still have annual sessions they cling to the plan with great persistency.

**Lobbying.** Wisconsin has adopted an act regulating lobbying. A public register is to be kept containing the names of all lobbyists, the various bills to oppose or promote which they are employed and the names of the individuals or corporations by whom they are employed. Lobbyists are classified as legislative counsel before committees and legislative agents. Within 30 days after the adjournment of the legislature, persons

or corporations employing lobbyists must make a detailed statement of expenditures to the secretary of state.

**Illegal passage of acts.** A decision of the Idaho supreme court in 1897 by implication rendered void all but a few of the laws passed at the four previous sessions of the legislature, and the legislature of 1899 has therefore had the task of reenacting most of the acts passed since Idaho became a state. The court decides that the provisions of the constitution requiring three several readings, the printing of bills and an aye and no vote are mandatory and that the court may go back of the enrolled bill to see if the journals show that these requirements have been complied with.

**Special legislation.** Vermont has followed the plan of requiring the publication of certain classes of local bills for three weeks in a newspaper of the county to which the bill applies at least three weeks previous to the session of the legislature. It has now added to the list requiring such publication that most fruitful source of special legislation, the amendment of city and village charters. Such a safeguard would doubtless prevent much hasty local legislation in the interest of private individuals which is often put through during the closing hours of the session without the knowledge of the localities concerned.

**Distribution of documents.** In order to secure systematic distribution of its publications to the various state and other public libraries, Indiana has enacted that the distribution be made by the state librarian and that he be furnished for this purpose 150 copies of every state publication.

**Labor bureaus.** In 1869 Massachusetts established a labor bureau. Its example has since been followed by most of the states, by the national government and by many foreign countries. During 1899 Idaho has established a bureau of immigration, labor and statistics and Kansas has created a state society of labor, the secretary of which succeeds to the powers and duties of the state commissioner of the bureau of labor and of the state factory inspector.

**Public employment agencies.** A number of states have provided for the regulation and licensing of private employment agencies, but only a few have as yet entered the field in competition with private enterprise. During 1899 Illinois has established free employment agencies in cities of 50,000 to be conducted by officers appointed by the governor. Missouri has directed the commissioner of labor statistics to establish free employment bureaus in cities of 100,000.

**Factory inspection.** Instead of leaving the enforcement of factory laws to individual initiative or to the local police, many states have created departments of factory inspection, others have inspectors appointed by the labor bureau or commissioner, and in Massachusetts the chief of the district police has under his direction a force of factory inspectors. During 1899 inspection departments have been created in Indiana and Tennessee.

**Eight hour day.** During 1899 California, Washington and West Virginia have enacted that eight hours is a day's work on all public work, and Massachusetts that eight hours is a day's work for city and town employees. Colorado has established an eight hour day in mines, smelters and reduction works, except in cases of emergency<sup>1</sup>, and Missouri in mines at a depth of 200 feet or over, other than coal mines.

**Employers' liability.** The liability of employers for injuries to their employees has recently been greatly extended in many states. Under the common law employers are not liable for an injury resulting from the negligence of a coemployee. It is in the railroad business that the injustice of the common law rule has been most evident, and consequently several states have passed laws modifying it as to railroad employees while leaving it in force as to others. During 1899 North Dakota has made railroad companies liable for injuries to employees by reason of negligence of other employees and this liability may not be impaired by contract.

**Corporations.** Delaware has adopted a general corporation law designed to offer special inducements to corporations to organize under its laws. It has reduced its incorporation fee to 15c for each \$1000 of capital while that of New Jersey is 20c and that of New York \$1.25, and hopes to attract many corporations that would otherwise incorporate in New Jersey and other states.

**Trusts. Combinations.** Industrial combination which has attended the recent industrial prosperity has brought about numerous renewed attempts to cope with the assumed evil. Arkansas, Kansas, Michigan, Minnesota, Missouri, New York, North Carolina, South Carolina and Texas have again taken up the solution of the problem. The laws of Arkansas, Michigan, Missouri and Texas are particularly drastic. Besides the national anti-trust act, 29 states and territories have laws specially constructed to prohibit trusts.

**Special tax commissions. Statistics and information.** The Wisconsin tax commission appointed in 1897 submitted its report previous to the meeting of the 1899 legislature. It contains much information relative to taxation in Wisconsin and other states and a good bibliography and seems to have called attention to the need of a much more thorough and systematic investigation of the subject, for an act was passed providing for a commissioner of taxation to be appointed by the governor at a salary of \$5000 to serve for 10 years from May 1, 1899.

The commissioner shall have a general supervision of the system of taxation throughout this state, shall have power to make a thorough investigation thereof, and shall report to the legislature the first day of each regular session the results of his supervision and investigation, and shall formulate and recommend legislation for the improvement of the system and for the equalization of the taxation of the state. He shall keep in his office a public record of his acts and orders, and print from

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<sup>1</sup> Declared unconstitutional by Colorado supreme court.

time to time for general circulation, such information as he may deem proper. In making any investigation, he shall have power to require local officers whose duties pertain to the assessment and collection of taxes, or to the disbursement of public funds, to report to him in form as prescribed by him and to call upon individuals and corporations for information bearing upon the subject of taxation.

For the purpose of systematically securing statistics essential to well considered legislation an act was passed requiring town, village, city and county clerks to make annually to the secretary of state detailed statements of taxes levied. Many tax reforms recognized as beneficial fall of adoption because with the present deficient knowledge of tax conditions it is impossible to make the readjustment without great injustice and loss. The practical legislator recognizes the advantages of a proposed reform but as soon as he tries to formulate it definitely he runs against numerous obstacles that can not be overcome except by a detailed scientific knowledge of all the conditions involved. Without such knowledge any radical change is necessarily blind and haphazard. Wisconsin's efforts to secure systematic information is therefore most interesting and noteworthy.

In Michigan also the permanent tax commission created during the present year, besides being given power to gather statistical information is instructed "to make diligent investigation and inquiry concerning the revenue laws and systems of other states and countries . . . and with the aid of information thus obtained, together with experience and observation of our own laws" to annually recommend changes to the legislature. Texas has created a tax commission consisting of the governor, controller, state revenue agent and "a competent expert in matters pertaining to taxation and revenue" appointed by the governor. It is the duty of the commission to frame a complete tax system and submit it to the legislature of 1901. In New York a joint committee was appointed to investigate taxation and report to the legislature of 1900.

The special joint committee created by the Georgia legislature of 1898 made its report to the session just closed. The committee recommends the adoption of collateral inheritance and income taxes and imposition of a special state tax on the franchises of all quasi public corporations. The committee also recommends the creation of a state board of tax commissioners with large powers of control over the local assessors and exclusive authority to assess railroad, telegraph, telephone and express companies. The general tax bill submitted by the committee was referred to the governor for transmission to the next legislature.

**Tax equalization. State supervision.** Michigan has established a board of three tax commissioners, appointed by the governor for 6 years at a salary of \$2500. The board is given general supervision over local assessing officers, is to visit each county annually, hear and decide complaints and may review and revise the assessment rolls. It is also required to report annually to the legislature the true valuation of corporation and other property.



**Inheritance tax.** In Michigan a direct inheritance tax of 1% on personal property exceeding \$5000 and a collateral inheritance tax of 5% on all property over \$500, has been established. Wisconsin has provided a direct inheritance tax of 1% and a collateral tax of 5% on personal property over \$10,000 and Missouri a collateral inheritance tax of 5% on all property, the proceeds of which are to be devoted to the support of the state university and to other educational purposes. The direct inheritance tax of 2% on personal property above \$5000 established by Pennsylvania in 1897 has been declared unconstitutional, as the \$5000 exemption violates the provision that all taxes shall be uniform on the same class of subjects. The inheritance tax now exists in some form in 20 states.

**Taxation of public franchises.** In New York previous to the present year corporations holding franchises in the streets and public grounds were assessed by the local assessors on the total value of their property including franchises and excluding debts. Franchises were assessed as personalty; but as the companies were permitted to deduct their bonded and floating indebtedness from the total value of their personalty and as indebtedness usually exceeded personalty the result was that the companies paid taxes on their real estate only and franchises were practically exempt. The 1899 act provides that franchises shall be considered real estate for purposes of taxation. The value of the franchise, which is to include the value of all tangible property in any street or public place, is to be determined annually by the state board of tax commissioners, and the other real estate of the corporation is to be assessed as formerly by the local assessors. Many companies were already paying various special local taxes, and in order to make taxation uniform these special taxes are to be deducted from the franchise tax.

Michigan passed an act creating a state board of assessors to tax railroad, express, telegraph and telephone companies on the total value of their property including franchises, at the average rate of state, county and municipal taxes. The act was by implication declared unconstitutional by the decision of the supreme court declaring void a similar act of 1881 applying to telegraph and telephone companies, on the ground that taxation at the average rate is not within the uniform rule prescribed for other property. In consequence of this decision a new act was passed taxing express, telegraph and telephone companies 3% on their gross receipts in lieu of all other taxes and railroads continue to pay on their gross receipts as formerly. A resolution to submit to popular vote a constitutional amendment authorizing assessment of railroad, express, telegraph and telephone property by a state board was defeated at the regular session and Governor Pingree summoned an extra session which met December 18 specially for this purpose but the resolution was again defeated.

North Dakota has submitted a constitutional amendment to vote in 1900 providing for the assessment by the state board of equalization of

the franchises and property of all companies carrying persons, property or messages. Wisconsin has provided for an assessment of express, sleeping car, freight line and equipment companies based on the cash value of their capital stock.

There is a strong tendency to change from gross receipts as a basis of taxation to the total value of property and franchises as determined by a state board; but the gross receipts tax is so much simpler that it continues to be adopted most frequently as may be readily seen by consulting the entries under corporation taxes in the summary of legislation.<sup>1</sup>

**The Torrens system.** This system of land registration was first adopted in the United States by Illinois in 1895. This law was declared unconstitutional in the following year and in 1897 a new law was passed, the constitutionality of which has been upheld by the supreme court. The law is operative in such counties as by popular vote accept it, and as yet has been accepted by Cook county only. In Ohio the Torrens system was adopted in 1896. The law was declared unconstitutional in 1897 and was repealed in 1898. California adopted the system in 1897 and Massachusetts in 1898. Montana has during the present year created a commission to consider the system and report to the legislature in 1901.

**Uniform negotiable instruments law.** In 1896 the national conference of state commissioners on uniform legislation recommended for adoption by the various states *a general act relating to negotiable instruments*. This act was adopted by New York, Connecticut, Florida and Colorado in 1897, by Virginia, Maryland and Massachusetts in 1898 and by North Carolina, North Dakota, Oregon, Rhode Island, Tennessee, Utah, Washington and Wisconsin in 1899. It was also adopted by the United States congress in 1899 for the District of Columbia. When this law is adopted by the rest of the states a reform of the greatest value will have been accomplished. Commercial relations are not bounded by state lines but are national and even world wide. By a uniform codification throughout the United States of this branch of commercial law business will be greatly facilitated.

**Interest. Usury.** The gradual decline in the market rate of interest is being followed by a gradual lowering of the legal and maximum rates prescribed by law. Every year the rates are lowered in a number of states but raised in none. During the past year the legal or maximum rates have been lowered in Michigan, Minnesota, Montana, Oregon and Washington. In Michigan the legal rate has been reduced from 6% to 5% and the contract rate 8% to 7%. Michigan, Illinois and Louisiana are the only states that now have a legal rate as low as 5%. Except in the new states of the west the rate is usually 6%.

**Practice of law.** Maine, Vermont and Wyoming have passed general laws regulating the admission of attorneys. In Indiana a constitutional amendment will be submitted in November 1900 authorizing the legislature to prescribe qualifications for admission to the bar. The legislature of Illinois attempted to exempt certain persons from the rules of the supreme court regulating admission to the bar but the supreme court

<sup>1</sup> See summary, 1369-1410.

declared the act unconstitutional on the ground that admission to the bar is a judicial act and can not be exercised by the legislature.

**Supreme court.** The number of states that have recently taken steps to increase the number of judges of the supreme court of the state or to establish an intermediate court between the supreme court and the district courts indicates the overcrowding of the supreme court to be quite general. California, Indiana, Kansas, New York and Oregon have during the present year taken steps in this direction.

**Jury verdict.** Colorado has enacted that three fourths of a jury may render a verdict in civil cases and Missouri has submitted a constitutional amendment to vote in 1900 providing that two thirds in courts not of record and three fourths in courts of record may render a verdict in civil cases.

**Slander. Caricatures.** California has made it unlawful to publish caricatures of residents of the state which "in any way reflect upon the honor, integrity, manhood, virtue, reputation, or business or political motives" of the person caricatured or tend to expose him to "public hatred, ridicule or contempt." Not stopping with this, however, it is also made a misdemeanor to publish portraits of residents of the state except public officers and criminals without the written consent of the person concerned. California has also enacted that published articles impeaching the reputation or exposing the natural defects of any person shall be signed by the author under penalty of \$1000, and Florida has followed with a law requiring the signature of the author to articles charging immorality.

**Lynching.** Indiana has adopted a strong law to prevent lynching. The penalty for actively aiding or abetting is fixed at life imprisonment or death and the attorney general may conduct the prosecution. If any person is taken from the custody of an officer and lynched it is made prima facie evidence of failure on the part of the officer to perform his duty and it thereupon becomes the duty of the prosecuting attorney and attorney general to institute impeachment proceedings.

**State architect.** In New York and Illinois the office of state architect has been created to prepare plans and specifications for all buildings constructed or altered at state expense. The salary of the architect is \$7500 in New York and \$5000 in Illinois.

**Municipalities, general.** In New Jersey the governor has been empowered to appoint a commission to report to the legislature of 1900 a revision and codification of the laws relating to cities and incorporated towns.

In 1898 the Ohio legislature provided for the appointment of a municipal code commission of two persons to revise the laws relating to the organization of cities and villages and to prepare a bill for a plan of organization which should be uniform in its operation throughout the state, and in which there should be a separation of the legislative and executive powers. Edward Kibler, one of the members of the commission in *Munic-*

*ipal affairs* for September 1899, states that the commission will report as its conclusion that the principal reforms needed in Ohio are: 1) the abolition of the classification of cities, and the government of municipal corporations by local councils and not by the state legislature; 2) the limiting of the functions of city councils strictly to legislative matters, the confining of administrative functions strictly to the executive department with the mayor as the responsible head and the filling of all subordinate offices and places by the compulsory system of selection known as the merit system of appointment; 3) the nomination and election of all municipal officers including members of the board of education on a nonpartizan ballot. The commission will report its findings, with a bill, to the governor and the report will be submitted to the legislature of 1900.

**Municipal home rule.** In North Dakota city councils have been authorized "to adopt such ordinances, not repugnant to the constitution and laws of the state, as the general welfare of the city may demand" and the New Jersey law for the government of cities under 12,000 provides that the council may make such ordinances not contrary to the laws of the state or of the United States as it may deem necessary "for the good government, order, protection of persons and property, and for the preservation of the public health and prosperity of said city and its inhabitants." Cities and towns in South Carolina have been authorized to adopt any amendment to their charters not inconsistent with the constitution and laws of the state on petition of a majority of the freeholders and a majority vote of the electors.

**Franchises.** A Florida law limits municipal franchises to 30 years and provides for the reservation of the right to buy at the expiration of the franchise, and in Tennessee an act has been passed requiring the submission of franchises to popular vote in cities of 36,000. Indiana has provided that the referendum may be demanded by 40% of the voters in incorporated towns within 30 days after the passage of any ordinance buying a water or light plant or granting any franchise. An 1899 law in Colorado provides that water, gas and electric light franchises hereafter granted or extended may be bought after 20 years by the city or town.

**Police, state control.** In 1894 a law was passed in South Carolina authorizing the governor, secretary of state and controller general whenever they might deem it necessary, to appoint a board of three police commissioners for any city or incorporated town. This law has been repealed by the legislature of 1899.

**Street sprinkling.** Street sprinkling is rapidly becoming a municipal function. Formerly property owners contracted with individuals who undertook to keep the street sprinkled in front of their property. The method which is now being rapidly adopted is for the city to sprinkle as it already paves and cleans the street, and to assess the expense on the abutting owners or pay it from the general fund. Connecticut, Minnesota, Oklahoma, Pennsylvania, Tennessee and Wisconsin have during the present year made provisions for municipal sprinkling.

**Sewerage. Pollution of water.** Sewage disposal and water supply in densely populated states is fast becoming a problem that can not be left to the separate municipalities. Many districts have become so thickly dotted with populous cities and towns that a common system of water supply and sewerage is just as necessary for all the municipalities of the group as it is when a large number of individuals come together and form a city. In New Jersey a state sewerage commission consisting of five members appointed by the governor has been established. It is the duty of the commission to investigate methods of sewage disposal and to prevent the farther pollution of streams. On the petition of the municipalities concerned sewerage districts may be formed. District sewerage boards are to consist of two members from each municipality and one member appointed by the state commission. They are to construct sewerage systems under the supervision and control of the state commission.

**Roads.** A commission has been appointed in Pennsylvania to investigate the subject of good roads and report to the legislature of 1901. In Vermont the office of state highway commissioner has been created to superintend the expenditure of the state road tax by the town commissioners and to give aid and advice to local officials; while in Rhode Island the office of state commissioner of highways has been abolished and the act granting state aid to towns repealed. Wisconsin has referred to the next legislature a constitutional amendment authorizing state taxation to improve highways.

**Bicycles.** To obviate the inconvenience caused by the dissimilar bicycle regulations of the various municipalities of the state, New York has prescribed a set of ordinances and regulations for the use of bicycles that must be adopted by the cities, towns and villages wishing to adopt any regulations whatever. New York and Oregon have passed general laws for the construction of sidepaths by counties. The New York law provides that the county judge may on petition of 50 wheelmen appoint sidepath commissioners to construct and maintain sidepaths on public roads, the expense of which is paid by an annual license tax on bicycles using the paths. A Pennsylvania law provides for the construction of sidepaths by townships, and in Washington cities have been authorized to construct paths. Florida, Illinois, Massachusetts, Michigan, Minnesota and Pennsylvania have passed laws to protect sidepaths from injury.

Beginning with New York in 1896, 13 states (Arizona, Arkansas, California, Colorado, Michigan, New Jersey, New York, North Dakota, Ohio, Rhode Island, South Dakota, Virginia and Washington) have passed laws requiring bicycles to be carried as other baggage. The Washington law was passed during the present year.

**Toll roads, public purchase.** Missouri, New Jersey, New York, Pennsylvania and Tennessee have made provision for the acquisition of toll roads by the local authorities.

**Militia. National guard.** Alabama, Florida, Illinois, Pennsylvania and Wisconsin have adopted general revisions of their military codes. A naval reserve has been established in Maine and Minnesota; Illinois, Massachusetts, New Hampshire and New Jersey authorized additional pay to their volunteers in the Spanish war and New York paid state employees who served in the war their salary during the period of service. 10 states (Arizona, California, Connecticut, Illinois, Maine, Massachusetts, Minnesota, New Hampshire, New York and Vermont) have made it unlawful to deface the national flag or use it for advertising purposes.

**Veterans.** The states have rapidly been extending to veterans of the Spanish war the special exemptions, privileges and provisions for relief enacted for veterans of the civil war. Alabama and Texas passed laws granting state pensions to confederate veterans.

**Charities and corrections, general.** An Indiana law requires the circuit court on petition of 15 citizens to appoint a board of charities and corrections to visit and inspect all charitable and correctional institutions and report to the county commissioners and state board of charities. In New Hampshire the governor and council have been authorized to appoint three commissioners to consider and investigate the subjects of "state support and control of the dependent insane and feeble-minded and methods for moral improvement in the penal institutions of the state." The state controller and president of the state board of charities in New York have been empowered to classify officers and employees of charitable and reformatory institutions and fix salaries in each class. It has been made the duty of the Wisconsin state board of control to inspect semiannually fire equipment, water supply, drainage, heating and ventilating systems in county asylums, poorhouses and jails. A state purchasing agent for eleemosynary institutions has been created in Texas.

**Poor relief.** "To the end that the unnecessary duplication of relief may be avoided and the creation of new families of paupers through misguided and useless alms may cease" Indiana has enacted that overseers of the poor shall cooperate with private organizations and keep informed concerning their work. An Arkansas act authorizes the inhumane practice of letting out paupers to the lowest bidder, who gives bond to house, clothe, feed and furnish medical attendance. Often the best results can be obtained by consolidation of county poorhouses, as a better classification of inmates can thus be maintained and superior facilities provided at a lower per capita cost. With this in view Arizona has enacted that supervisors may contract with other counties for the care of county poor, and Minnesota that district poorhouses may be established in two or more counties of 25,000 joint population.

**Dependent and neglected children.** The duty of the state to interfere in the case of children neglected or growing up under evil influences has been practically recognized during the present year by general laws in Illinois, West Virginia, Washington and Wyoming. The increased consideration now given to the problem of caring for dependent children

is evidenced by the creation of a state board of children's guardians in New Jersey to have general supervision of all dependent children. Numerous regulations have also been passed relative to the placing out of children.

**Epileptics.** The movement of the segregation of epileptics from other classes of dependents continues to make progress. Illinois and Missouri have established epileptic colonies, Texas an asylum for epileptics and North Dakota has referred to the next legislature a constitutional amendment for the establishment of an institution for the feeble-minded.

**Penal institutions.** Consolidation and division of labor are scarcely less noticeable in the case of public institutions than in industry. The economy of organization on a large scale and the benefits of classification are causing the abandonment of township and county institutions and bringing about the adoption of state systems. A state system of penal and reformatory institutions makes possible the segregation of each class of criminals in institutions specially adapted to their treatment, and such a segregation is gradually taking place. New institutions for every class and grade of offenders are being established. The more advanced position of prison legislation is indicated in the names of the new institutions established; they are no longer jails, prisons or penitentiaries but reformatories and reform or industrial schools.

**Criminals, probation.** Just as dosing a healthy person with medicine may make a permanent invalid so the indiscriminate imprisonment of all kinds of offenders whether they show serious pathologic symptoms or not, is responsible for making many confirmed criminals. Massachusetts authorized the appointment of probation officers in 1891, and Vermont has now followed her example. The act provides for the appointment in each county by the county court of a probation officer who may recommend that persons convicted be released on probation, may expend money for temporary support and transportation and must report monthly to the prison commission. Illinois and Minnesota have provided for probation officers for juvenile offenders.

**Indeterminate sentences.** No state has as yet had sufficient confidence in the criminologists to adopt a real indeterminate sentence law. Crime is the result of a diseased or defective social nature, and the only scientific way to deal with it is to keep the criminal under treatment till cured. At present it is evident that the trend is in this direction: many states are adopting maximum and minimum sentence, parole and "good time" laws. Within the present year maximum and minimum sentence laws have been adopted in Colorado and Vermont, and the provisions of the Indiana law have been greatly extended.

**Convict labor.** The governor of Illinois has been authorized to appoint six commissioners to inspect the convict labor systems of other states and report to the legislature in 1901. Kansas has established twine and brick plants at the state penitentiary, authorized the use of convict labor in the repair of certain roads and provided that coal mined at the state



penitentiary shall be limited in amount to the needs of state institutions. North Dakota has authorized the establishment of a twine and cordage plant.

**Insurance.** The New Hampshire insurance commissioner before had authority to recommend rates of insurance, but an 1899 law gives him power on petition to determine reasonable rates and companies must insure at the rate fixed under penalty of \$200 for each refusal. Mutual insurance is at present receiving a good deal of attention from the legislatures. Numerous general laws have been passed regulating fraternal beneficiary societies and farmers mutual fire and other casualty companies. Insurance is rapidly being extended to guard against every kind of loss that is the result of mere chance. Companies to insure against loss by mail or express, and bicycle and plate glass companies have been authorized. The surety and guarantee companies are fast revolutionizing methods of executing official bonds. The states are rapidly authorizing the acceptance of surety companies on all official bonds and many are authorizing the payment of premiums out of public or trust funds.

**Transportation and communication, general.** At an extra session held just previous to the regular session in Kansas, a court of visitation consisting of three elective judges was created and given very extensive control over railroads, express and telegraph companies. The court may establish classifications and rates, prescribe equipment, regulate service and decide all complaints. In case of a strike the court may summon the corporation to appear and may order it to resume operations at once, if after investigation the strike appears just. A receiver may be appointed for any company failing to comply with any of the court decrees; but they are subject to review by the supreme court. The act has recently been held unconstitutional in the United States district court. The Florida legislature under authority of a constitutional amendment adopted in 1898 has vested the railroad commission with judicial power in the exercise of its control over rates and accommodations.

In North Carolina the commission for the supervision of railroad, steamboat, express and telegraph companies has been abolished and a corporation commission created consisting of three elected members to exercise control over railroad, steamboat, canal, express, telegraph, telephone and sleeping car companies, building and loan associations and banks. The commission is to regulate rates and accommodations, and has the authority of a court of general jurisdiction in the exercise of its powers. Arkansas has created a railroad commission consisting of three elected members with power to fix freight and express rates.

**Ticket scalping.** Florida and Maine have prohibited the business of ticket scalping, but the New York anti-scalping law of 1897 has been declared unconstitutional.

**Mileage books.** The Michigan law of 1891 requiring railroads to sell 1000 mile books for \$20 has been declared unconstitutional by the United

States supreme court on the ground that it works a deprivation of property without due process of law.

**Telephones, public ownership.** Nevada has enacted that county commissioners may buy or construct telephone lines on petition of two thirds of the taxpayers, and Wisconsin has authorized cities, towns and villages to issue bonds for telephone lines.

**Street railways.** In Vermont companies are now required to submit proposed routes to the board of railroad commissioners to determine whether the convenience of the public requires a new road; an appeal to the supreme court may be taken from the decision of the board. The 1897 act of Illinois permitting city councils to grant 50 year franchises and 50 year renewals, which caused such a stir in Chicago when it was thought that the city council might make use of its power, has been repealed and an act permitting 20 year franchises enacted. Under a new act of the legislature Indianapolis has granted a 34 year franchise to the Indianapolis street railway company. At the expiration of the franchise the road may be bought or the franchise again sold. The maximum fare is 5c with universal transfers and 6 tickets must be sold for 25c and 25 for \$1.

In Michigan municipal ownership of street railways has been declared unconstitutional as in violation of the constitution, art.14 §9, providing that "the state shall not be a party to, or interested in, any work of internal improvement." The question came up on an act authorizing municipal ownership of the Detroit street railways.

**Bacteriologic laboratories.** In 1898 Maryland, Ohio and Vermont provided for the establishment of bacteriologic laboratories, and during the present year Delaware has authorized the board of health to establish a pathologic and bacteriologic laboratory at Delaware college for the diagnosis of diseases and the analysis of water without charge.

**Tuberculosis.** New York has authorized cities of 250,000 to maintain outside their limits hospitals for the treatment of pulmonary tuberculosis. Washington has required physicians to report tuberculosis patients to the local board of health, whereupon the board must send to patients printed instructions to prevent the spread of the disease and must disinfect premises within five days after death.

**Vital statistics.** Some provision for a general registration of vital statistics is now made by statute in all but 14 states, though the law in many cases is wholly or partly inoperative. During the present year Florida and North Dakota have passed laws providing for a general registration. In Florida a state board of vital statistics is created and in North Dakota the local officials are required to report to the state board of health.

**Practice of embalming.** In 1894 Alabama and Virginia passed laws for the examination and licensing of embalmers. Missouri and Pennsylvania followed in 1895, New York in 1898 and Nebraska, New Hampshire, South Dakota and West Virginia in 1899.

**Beer adulteration.** A Missouri law provides that beer or other malt liquors shall not be manufactured or sold containing any material "other than pure hops or pure extract of hops, or pure barley malt or wholesome yeast, or rice." The enforcement of the law is in the hands of a beer inspector appointed by the governor.

**Adulteration of candy.** Since 1895, 23 states have passed special laws prohibiting the manufacture and sale of candy adulterated with certain injurious ingredients. During the present year Delaware, Idaho, Maryland, New Hampshire and Oregon were added to the list.

**Pawnbroking.** An Illinois law authorizes the incorporation of pawners' societies in Chicago. Dividends may not exceed 6% and the governor and mayor may each appoint one director. Interest may not exceed 1% a month with an additional  $\frac{1}{2}\%$  for insurance and storage. Only one society has as yet been organized under the law.

**Trading stamps.** The trading stamp is a development of the past few years. It appears to be a device to get around the laws that have been passed by various states prohibiting gift enterprises. The New York law reads as follows:

No person shall sell, exchange or dispose of any article of food, or offer or attempt to do so upon any representation, advertisement, notice or inducement that anything other than that which is specifically stated to be the subject of the sale or exchange is or is to be delivered or received or in any way connected with or a part of the transaction as a gift, prize, premium or reward to the purchaser.

The trading stamp is a coupon furnished by the trading stamp companies to dealers in all lines of trade. The dealer gives the stamps to customers as an inducement to make purchases and they entitle the holder to receive goods of a certain value from the trading stamp company. In 1898 Maryland, Massachusetts, Virginia and Vermont prohibited their use and during the present year New Hampshire and Rhode Island have done likewise. Tennessee has required trading stamp companies to pay a \$500 privilege tax in each county and firms using the stamp a \$250 tax.

**Commission merchants.** Illinois, Michigan and Minnesota have provided for the licensing and regulating of commission merchants. In Illinois a state board of inspectors of commission merchants has been created and in Minnesota the railroad and warehouse commission is to exercise supervision.

**Negotiable warehouse receipts.** To better enable farmers to hold their cotton and other staple products till the market improves a bonded warehouse act has been passed in Georgia permitting warehousemen to give bond in amount equal to the capacity of their warehouses and to issue negotiable warehouse receipts. It is expected that the experiment will prove very beneficial to the agricultural interests of the state.

**Horticulture.** Legislation in the interest of horticulture and specially for the extermination of injurious insects and pests continues to

exact a great deal of attention. In Indiana the office of state entomologist has been created; Montana has established a state board of horticulture; Missouri a fruit experiment station the manager of which is to inspect trees and shrubs. Texas has authorized the employment of an expert entomologist at the state agricultural and mechanical college, to devise means of destroying insect pests.

**Commercial feeding stuffs.** In 1897 Massachusetts and Maine provided for the inspection of concentrated commercial feeding stuffs; Vermont followed in 1898 and Connecticut, New York and Rhode Island during the present year.

**Forestry.** A state forestry commission has been created in Michigan, a state forestry board in Minnesota and the office of game and forestry warden in Oregon. To encourage forestry Indiana has enacted that permanent forest reservations shall be appraised for taxation at \$1 an acre.

## SUMMARY OF LEGISLATION

1 Oct. 1898 — 30 Sep. 1899

## Public morals

(See also Crimes, 2555; Religious corporations, 962)

## Family

(See also Family property, 1565; Guardianship, 1845; Charities—children, 3506)

## Marriage

- 1 **Parties.** Persons afflicted with syphilis or gonorrhea incapable of contracting marriage; felony; husband or wife shall be examined against the other; physician compelled to testify. Amending C. L. §8593. **Mich.** 247, 15 Je
- 2 **License.** County recorder to issue; form of license and certificate; records to be kept; marriages not to be solemnized without license. Repealing R.S.'87 §2434-35, 2437. '95 p.166 reenacted to correct illegality in passage. **Id.** p.278, 14 F
- 3 When applicant can not produce official record of birth probate judge may issue order to overcome reasonable doubt of clerk or registrar, who shall receive notice and issue certificate. Amending '94 ch.401 §2. **Mass.** 197, 28 Mr
- 4 To be issued by county clerk five days before ceremony; minors to obtain parents' written consent. Amending R. S. '98 ch. 107. **Wis.** 301, 29 Ap
- 5 Not to be granted except on written authority of parent or guardian when either party is under 16. **Tenn.** 26, 27 Mr
- 6 Recovery of penalty for improper issuance to minor amended. Code '96 §2849. **Ala.** p. 39, 23 F
- 7 Failure to return license to registrar punishable by fine of \$2 to \$10 [formerly \$10]. Amending G. L. '88 §2787. **Ct.** 24, 23 Mr
- 8 **Solemnization. Record.** Persons authorized to solemnize must first receive the license; *county clerk* [formerly person solemnizing] shall collect recorder's fee; certificate to be delivered to recorder within 30 days [formerly three months]. Amending G.S. §473-74, 477-78. **Nev.** 35, 6 Mr
- 9 No justice shall solemnize unless he is also clerk of city or town, city registrar, clerk of court, or assistant to one of these, or has been designated by governor. **Mass.** 387, 23 My

- 10 Performing ceremony without license punishable by \$50 to \$500 fine. Tex. 170, 5 Je
- 11 Private files in cases where probate judge deems it best to keep dates of marriage secret shall be open to inspection only on *order of circuit or supreme court, made on request of person so married or when necessary to protect property rights*. Amending '97, 180. Mich. 232, 9 Je
- 12 Certificates of marriage, in counties where records have been destroyed, to be re-recorded. Mo. p. 322, 31 Mr

## Divorce

- 13 **Grounds.** May be granted in cases of insanity; proceedings. '95 p.11 reenacted to correct illegality in passage. Id. p.232, 14 F
- 14 Incurable insanity continuing two years, the person so suffering having been confined in an asylum for the time, made a cause for divorce. Amending R. C. '95 §2737, 2743. N. D. 77, 6 Mr
- 15 Confirmed habits of intoxication *from use of liquors, opium or other drugs* a cause for divorce. Amending '93, 179. Me. 79, 15 Mr
- 16 **Plaintiff.** Two years residence not required for divorce *for adultery*. Amending R. S. §1478. Fla. 65, 19 My
- 17 Divorce not granted unless plaintiff has been bona fide resident of state for *one year* [formerly 90 days] preceding commencement of suit *and is citizen of United States or has declared intention to become such*. Amending R. C. '95 §2755. N. D. 75, 3 F
- 18 **Trials. Procedure.** Committee of general assembly to which petition has been referred may give notice of hearing to attorney general. Ct. 20, 21 Mr
- 19 Amending notice to nonresident party. G. L. '88 §2804; '93, 8. Ct. 108, 11 My
- 20 Co-respondent in action on ground of adultery has right to demand service of summons, so that he may appear in defence. Amending C. C. P. §1757. N. Y. 661, 25 My
- 21 Courts of common pleas may appoint masters in proceedings. Pa. 3, 10 Mr
- 22 One justice of the supreme court to be a quorum for trial of petitions. Amending G.L. ch.222 §3; '97 ch.451 §3. R. I. 649, 6 Ap
- 23 Case to be submitted to jury on *written* request of either party *filed on or before return day of libel*. Amending R. S. ch. 60 §8. Me. 121, 17 Mr
- 24 Defendant may voluntarily appear; testimony not to be taken in *two* [formerly four] months after filing bill. Amending C.L. §8624. Mich. 210, 26 My

- 25 Causes may be submitted in courts of equity for final decree at term time or in vacation in divorce cases after a decree pro confesso has been obtained. Ala. p. 118, 14 D '98
- 26 Amending appeal in cases for divorce. R. S. '93 ch. 75 §4. Del. 291, 16 Mr
- 27 Alimony. Courts of record may punish refusal to pay. Amending C.L. §10,891. Mich. 230, 9 Je
- 28 Pending suit, court may enjoin husband from conveying his property or from conveying, concealing or interfering with property or clothing of wife or minor children. Amending Vt. S. §2688. Vt. 56, 22 N '98
- 29 Enforcement of liens for. Vt. 57, 22 N '98
- 30 Children. Court making decree of divorce or any justice thereof in vacation may dispose of minor children. Amending R. S. ch. 60 §17. Me. '94, 16 Mr
- 31 When divorce is granted for offense of husband or wife, court may compel husband to maintain children. Amending R.C.'95 §2761. N. D. 78, 24 F
- 32 Change of name. Court, after granting divorce, may change name of wife and children. Del. 290, 24 F

## Support of family

- 33 Husband not liable for wife's ante-nuptials debts except by virtue of written contract; applies only to future marriages. Ark. 5, 1 F
- 34 County may sue father, mother or children for support. Amending R.S.'87 §2531. '97 p.52 reenacted to correct illegality in passage. Id. p. 301, 18 F
- 35 Supreme and superior courts may order man to contribute to family's support. Amending '97, 175. Me. 25, 1 Mr
- 36 Court may release person convicted of failure to provide for wife or child on bond; neglected party may sue on bond; convict to be fined or imprisoned on default. Amending G. S. §6536. Minn. 74, 21 Mr
- 37 Necessaries furnished to family are chargeable on property of both husband and wife or either. Amending G. S. §5533. Minn. 325, 20 Ap
- 38 Board, lodging and medical attendance of apprentice to be furnished by master or employer or by parent or guardian. Amending '96 ch. 272 §71. N. Y. 448, 27 Ap

## Amusements

(Relating chiefly to restricted amusements. See also Bicycles, 3265; Clubs, 960)

- 39 **Gambling. Lotteries.** Regulations for suppression of gambling.  
Id. p. 389, 6 F
- 40 Felony to keep place for playing 'craps.' Amending '83, 230.  
Tenn. 5, 2 Mr
- 41 Penalty for keeping Klondike or other gambling machine in place  
of public resort. Vt. 121, 29 N '98
- 42 Referring to next legislature constitutional amendment author-  
izing the incorporation of a lottery. Nev. j. r. 10, 6 Mr
- 43 **Racing.** Licenseing of book-making and pool selling amended ('97  
p. 100). Mo. p. 170, 17 My
- 44 Governor to appoint *three* [formerly two] persons to collect tax  
imposed on race courses; state divided into two districts for this  
purpose. Amending '98 ch. 396 §20. N. Y. 414, 24 Ap
- 45 Unlawful for bicycle race or other contest to continue longer than  
12 hours in 24. N. Y. 316, 14 Ap
- 46 **Prize-fighting.** Repealing P. C. '87 §657 making spectators guilty  
of misdemeanor. Ari. 40, 14 Mr
- 47 Penalty for instigating \$1000 to \$5000 and one to three [formerly  
two] years; *sparring matches of limited rounds excepted.* Amend-  
ing P. C. §412. Col. 121, 20 Mr
- 48 Prize-fighting a misdemeanor; athletic associations to pay annual  
license of \$1000 or more for sparring matches. Col. 123, 6 Ap
- 49 **Shows. Theaters.** Prohibiting public exhibitions of criminals  
and deformed persons. Ill. p. 148, 22 Ap
- 50 Penalty for reproducing obscene language on phonograph or giv-  
ing immoral show. Me. 105, 17 Mr
- 51 License may be withheld from theatrical exhibition employing  
*child acrobats under 15.* Wis. 330, 3 My
- 52 Amending R. S. '87 §1445, 1454, relating to show and exhibition  
licenses. Wy. 91, 21 F
- 53 Fine for wearing hat at theater or other indoor amusement.  
Wy. 74, 21 F

## Intoxicating liquors. Narcotics

## Prohibition

- 54 **State.** State liquor agents to be appointed to sell liquor to city  
and town agents in cities and towns which by vote decide to  
have local liquor agents for sale of liquors for medicinal,  
scientific and sacramental purposes; rules governing sales;  
penalties for adulteration and for unauthorized sale. Repeal-  
ing P. S. '91 ch. 112 §1-14. N. H. 71, 11 Mr



- 55 Amending management of town liquor agencies; each town to keep a record open to inspection of each sale and person to whom made; audit of accounts of agencies (Vt.S. ch.187; '94, 72).  
Vt. 88, 22 N '98
- 56 Towns may close their town liquor agencies; county commissioner to revoke license of town agent.  
Vt. 89, 29 N '98
- 57 **Local option.** Question of prohibition in counties to be submitted on petition of *one third* [formerly one fourth] of electors for *supervisor* [formerly governor]; supervisors to take action on petition at *next regular* [formerly special] meeting; on affirmative vote supervisors *shall* [formerly may] order prohibition; notice to be published *every week till act takes effect* [formerly four times]; *home grown wine or cider in five gallon lots may be sold*; penalty for first offense fine and [formerly or] imprisonment; *druggists in prohibition counties shall report weekly to prosecuting attorney persons procuring liquor, dates, quantities and purposes; reports open to public.* Amending '80, 207.  
Mich. 183, 18 Ap
- 58 Regulations for calling special town meetings to vote on question of liquor selling when question was not properly submitted to regular meeting. Amending '97 ch. 312 §16.  
N. Y. 398, 21 Ap
- 59 On petition of one third of the voters, the county commissioners shall order an election in the county, city or town to decide as to the sale of liquor; certain counties excepted.  
N. C. 551, 6 Mr
- 60 **Dispensaries.** Incorporated cities and towns in which the sale of liquor is not prohibited by law, may sell liquors; not more than one dispensary for each 10,000 population; dispenser elected for term of two years; salary; county commissioners may conduct dispensaries at places outside cities and towns and not under prohibitory law; regulation; certain counties excepted.  
Ala. p. 108, 18 F
- 61 Submitting the question of repeal of art. 27 of constitution: that the manufacture and sale of liquors be under exclusive state control and be conducted by agents paid by salary, not commission. *Vote November 1900.*  
S. D. 64
- 62 Use of palmetto tree label by state board of control prohibited.  
S. C. 75, 3 Mr

**Liquor licenses**

- 63 **General—regulation.** Regulations for granting amended (G. L. '88 §3064; '97, 154).  
Ct. 186, 15 Je
- 64 Amending '93 175 regulating appeals from decision of county commissioners granting.  
Ct. 161, 9 Je; 223, 22 Je

- 65 Minor amendments to liquor law ('73, 418). Del. 246, 30 Mr
- 66 Regulating method of granting permits where majority of electors  
petition for sale. Fla. 86
- 67 Revision of laws relating to number of places which may be  
licensed. Mass. 462, 2 Je
- 68 Licensing sale in incorporated parks; application to be signed by  
12 freeholders. N. J. 77, 22 Mr
- 69 Local licenses remain in force till first Tuesday of July *after*  
*they become effective* [formerly after granting thereof].  
Amending R.S.'98 §1548. Wis. 166, 1 Ap
- 70 Lawful to sell on trains; state license \$10 a car. Wy. 83, 21 F
- 71 Rates. Wholesale license in small towns \$200 [formerly \$150] a  
year. Amending '97, 49. Ct. 172, 9 Je
- 72 Persons selling liquor not to be drunk on the premises to pay  
license of \$200 a year. Amending '91 p. 33. Id. p. 21, 2 F
- 73 Excise boards. Town trustees may grant licenses; amending '77,  
92. Ind. 60, '85. *Unconstitutional*. Amendment to an act  
which itself has been declared unconstitutional. *Copeland v.*  
*Town of Sheridan*, 51 N. E. 474.
- 74 Creating an excise department in seaside or summer resort  
cities voting to accept act. N. J. 214, 24 Mr
- 75 Fees of excise commissioner in cities of 200,000 amended; 60%  
to go to state ('93 p.149). Mo. p.176, 17 My
- 76 Miscellaneous. Amending R.S.'46 p.577 relating to residence  
of freeholders recommending a license for an inn or tavern  
in a borough. N. J. 145, 24 Mr
- 77 Correcting R.S.'98 §1562 as to expenditure of license money.  
Wis. 351, 4 My
- 78 50% of the money collected for licenses to go to school fund of  
the school district, 40% to county road fund, and 10% to state  
treasury [formerly 10% to state and 90% to county]; exception  
as to cities. '95 p.37 *reenacted to correct illegality in passage*.

Id. p.242, 14 F

**Regulations and restrictions.** (*See also* Adulteration, 4161)

- 79 Saloons. Minor under 18 not to be employed in handling liquors.  
Mass. 413, 25 My
- 80 Prohibiting the drinking of liquor on premises when sold in  
quantities of one quart or over [formerly one quart to five  
gallons]. Amending '89, 53. N. J. 147, 24 Mr
- 81 Special places prohibited. Misdemeanor to sell within four miles  
of school or church; incorporated towns and cities excepted.  
Fla. 22, 2 Je
- 82 Sale prohibited within two miles of certain named churches,  
schools and places. N. C. 696, 8 Mr

- 83 Unlawful to sell within four miles of a schoolhouse *in towns of not over 2000 hereafter incorporated* [formerly all towns excepted]. Amending '87, 167. Tenn. 221, 17 Ap
- 84 Repealing R. S. '98 §4299 forbidding sale near Indian reservations. U. 46, 9 Mr
- 85 Prohibiting sale within 2000 feet of soldiers' homes; grounds excepted. Ill. p. 149, 21 Ap
- 86 Special times prohibited. All saloons [formerly within one half mile] to be closed from 10 to 3 on Decoration day *in all cities, towns and villages where memorial exercises are held*. Amending '97, 213. Minn. 266, 18 Ap
- 87 Persons to whom sale prohibited. Not to be furnished minors. Del. 246, 30 Mr
- 88 Misdemeanor for minor to represent himself as of age in order to obtain. Amending '81, 121. Nev. 81, 14 Mr
- 89 Repealing '97 p.68 which made it unlawful to sell at retail on credit. Mon. p. 104, 16 F
- 90 When husband fails to support family, wife may serve notice on keepers of saloons and gambling places and may recover damages arising from failure to observe notice. Wy. 71, 21 F

#### Illegal traffic. Prosecutions

- 91 Penalties. Misdemeanor to procure liquor for another in prohibited district. Ark. 191, 8 My
- 92 Penalty for selling in prohibited district not over 12 months [formerly and not less than three] or not over \$1000 [formerly and not less than \$500]. Repealing '97, 37. Fla. 85, 2 Je
- 93 Penalty for selling without license *or allowing sale on premises \$50 to \$200 and six months in jail*. Tenn. 161, 7 Ap
- 94 Arrest. Seizure. Judicial officers on information or their own knowledge or reasonable belief to issue warrant to search for and destroy liquors in prohibited districts; peace officers failing shall forfeit commission; owner to have day in court. Ark. 13, 13 F
- 95 Justice may on complaint filed issue warrant to search premises, seize liquors and arrest person suspected of selling without license. Amending R. S. '98, §1551. Wis. 194, 18 Ap
- 96 Prosecutions. Amending Vt. S. §4522-29 relative to abatement of illegal selling as a common nuisance. Vt. 90, 29 N '98
- 97 When justice or police court has no jurisdiction but thinks the offender is guilty of violating liquor laws, bond shall be required for appearance at supreme court. Amending P.S.'91 ch.112 §28. N. H. 50, 8 Mr

## Intoxication. Inebriates

- 98 Dipsomaniac may be detained in hospital *not over* two years; may be discharged when trustees deem him *no longer subject to inebriety*. Amending '89, 414; '97, 474. **Mass.** 325, 2 My
- 99 Applicant for commitment of dipsomaniac and witnesses to be examined on oath; patient to be served with summons; entitled to hearing; on appeal to superior court issue may be submitted to jury on appellant's request. Amending '89, 414. **Mass.** 266, 12 Ap

## Tobacco. Opium

- 100 Manufacture and sale of cigarettes forbidden; except filled with Cuban or Florida tobacco to be shipped out of state. **Fla.** 71
- 101 Sale of cigarettes and tobacco to minors under 16 forbidden; fine \$10 to \$100. **Tex.** 139, 23 My
- 102 Penalty for selling to minor under 21 cigarettes *or tobacco or paper to make them \$100 to \$300* [formerly \$10 to \$50]. Amending Digest '94 §1817-18. **Ark.** 75, 22 Mr
- 103 *Every* [formerly every white] person who keeps an opium resort or who buys or smokes opium guilty of misdemeanor. Amending R.S.'87 §6830-32. '93 p.22 reenacted to correct illegality in passage. **Id.** p. 172, 9 F

## Order. Decency

(See also Crimes, 2555)

- 104 Inhumanity. Misdemeanor to deprive child of necessary food, clothes or medical attendance, or to excessively chastise or to mutilate. **Fla.** 60, 1 Je
- 105 Society for prevention of cruelty to animals, or other similar society, may destroy animals found maimed and abandoned; penalty for abandonment. **S. C.** 70, 6 Mr
- 106 Unlawful to dock horse's tail. **Col.** 93, 6 Ap; **Minn.** 68, 18 Mr
- 107 Court may remit fines where animal cruelly treated is surrendered for destruction. **Vt.** 119, 19 N '98
- 108 State board of four members known as West Virginia Humane society created to protect children, the aged and animals; appointed by governor; power to receive children under 16 surrendered, or under 14 abandoned or mistreated by parents; procedure. **W. Va.** 9, 21 F
- 109 Revision of laws as to corporations to prevent cruelty to children and animals. **Mich.** 206, 25 My
- 110 Membership corporations for the prevention of cruelty to children or animals shall be subject to visitation of supreme court. Amending '95 ch. 559 §16. **N. Y.** 360, 18 Ap

- 111 **Prostitution.** Cities, towns and villages may regulate or suppress.  
'97 p. 18 reenacted to correct illegality in passage.  
Id. p. 295, 16 F
- 112 Unlawful to send minor under 18 to deliver message or letter at  
house of ill fame. Minn. 313, 20 Ap
- 113 Felony to keep house, *tent, vehicle, resort* or place of any kind or  
description for indecent purposes. Amending G. S. §6575.  
Minn. 158, 11 Ap
- 114 Prohibiting the use of prairie schooners and covered vehicles for  
purposes of prostitution. S. D. 120, 16 F
- 115 Travelling on highways for purpose of prostitution a felony; penalty.  
Mo. p. 168, 12 Ap
- 116 **Bastardy.** Amending Ann. S. '99 §6617-26 relating to.  
S. D. 50, 24 F
- 117 Procedure in bastardy cases amended. G. L. '88 §1206.  
Ct. 105, 11 My
- 118 Abolishing fees in bastardy cases for entering, furnishing copies  
and transmitting respondent's bond to superior court.  
Mass. 333, 4 My
- 119 Clerks of police, municipal and district courts may approve bas-  
tardy bonds. Mass. 262, 10 Ap
- 120 **Obscene literature and advertisements.** Misdemeanor to make  
obscene drawings or writing in any public place or to advertise  
indecent play. Amending R. S. '98 §4590. Wis. 128, 8 Ap
- 121 **Sunday observance.** Commissioner of labor to investigate Sunday  
labor. Minn. 148, 11 Ap
- 122 Corporations or persons ordering work in shops to be done on  
Sunday guilty of misdemeanor. S. C. 72, 6 Mr
- 123 Closing barber shops on Sunday. Del. 264, 23 F
- 124 Every Sunday shall be close season for birds and game.  
Mass. 116, 1 Mr
- 125 Sunday laws not to affect the running of electric cars.  
Ct. 63, 19 Ap
- 126 Permitting certain trains to be run on Sunday between 10.30 a.m.  
and 3 p.m. Ct. 48, 6 Ap
- 127 Unlawful to fire gun or pistol on Sunday. Ga. p. 107, 9 D '98
- 128 Fine for Sabbath breaking \$1 to \$10. Amending R. C. '95 §6847.  
N. D. 142, 8 Mr
- 129 **Disorderly conduct.** Unlawful to discharge firearms, except in  
self defence, while on passenger train. Ala. p. 154, 23 F
- 130 Misdemeanor to discharge or recklessly handle firearms on pas-  
senger train. Fla. 40, 29 My
- 131 Drunkenness and shooting on or near highways forbidden.  
S. C. 67, 3 Mr

- 132 Increasing fine and imprisonment for disturbing the public peace. Amending Vt. S. §5043. Vt. 120, 16 N '98
- 133 **Weapons.** Carrying concealed metal knucks a misdemeanor. Amending Code '95 §341. Ga. p. 60, 20 D '98
- 134 Cities of 100,000 may fix fees for carrying revolvers; fees to go to sick and pension fund of police department. N. J. 128, 23 Mr
- 135 **Dead bodies—dissection.** Unclaimed bodies of criminals and paupers in Kent county to be delivered to *Grand Rapids* medical college. Amending C. L., §5897-98. Mich. 193, 10 My
- 136 **Unclaimed bodies** [formerly bodies unclaimed by relatives] requiring burial at public expense may be given to physician; other amendments to '97, 28 relating to advancement of anatomical and surgical science. N. H. 10, 15 F
- 137 Repealing '97, 203 regulating the procuring and distributing of dead bodies for the promotion of medical science. N. C. 8, 14 Ja
- 138 Bodies of deceased paupers may be given to medical schools; regulations. Okl. 22, 10 Mr.
- 139 Creating state commission to dispose of unclaimed bodies of paupers and criminals in counties of 40,000; distribution to medical colleges. Tenn. 206, 12 Ap
- 140 **Curfew.** Cities may by ordinance prohibit the loitering of children on the streets at night. Ct. 217, 20 Je

## Education

(See also Deaf and dumb, blind, 3533)

### School organization

- 141 **General. Systems. Codes.** General school law; state board of public instruction; state superintendent; county superintendent; teachers certificates; school fund; institutes; textbook commissioners to furnish uniform textbooks; school trustees. '93 p.187; '93 p. 31, 156, and '97 p. 11, 25, 28, 96 reenacted to correct illegality in passage. Id. p. 85, 6 F  
Amended. Id. p. 337, 28 F; p. 435, 6 Mr; p. 439, 7 Mr
- 142 General revision of school law. N. C. 732, 7 Mr
- 143 General school law; duties of superintendent of public instruction; state board of education to consist of governor, secretary of state and superintendent of public instruction; powers; to prepare courses of study and grant state certificates; county superintendent; to apportion school funds and conduct examinations for county certificates; teachers institutes. Or. p. 209, 20 F

- 144 Generally amending school code ('97, 118). Wash. 142, 15 Mr  
 145 Commission created to revise school laws. W. Va. j. r. 12, 4 F  
 146 Minor amendments to school law (R.S.'97 ch. 122).  
 Ill. p. 349, 22 Ap  
 147 Common schools in cities of 100,000. Ind. 200, 4 Mr  
 148 Township, town and city school trustees to have complete management of schools; minimum school term six months; to establish high schools, joint high schools or pay tuition of pupils in high schools of other school corporations. Ind. 192, 4 Mr  
 149 Amending school law (C. S. '97, §4665, 4805, 4806, 4811) as to registration of voters, appointment and salary of attorney and secretary of school board, beginning of term of office, and bond of treasurer. Neb. 59, 1 Ap; 68, 1 Ap  
 150 Amending '97 p. 136; P. C. '95 §1793, 1794 relating to classification of districts, election of trustees and their organization.  
 Mon. p. 57, 3 Mr  
 151 Meetings. Elections. Suffrage. Elections; women may vote; property qualification \$100, but in districts of under 1000 widows and men having children may vote. Or. p. 22, 15 O '98  
 152 Electors residing in district 30 days prior to election entitled to vote. Amending R. S. '98 §428. Wis. 233, 20 Ap  
 153 Special elections may be held in districts in cities of 50,000 [formerly 100,000] to 300,000; method of voting loans and levies. Amending '93 p. 238. Mo. p. 354, 3 Ap  
 154 Calling of town school meeting by *selectmen* [formerly clerk]. Amending Vt. S. §728. Vt. 60, 19 N '98  
 155 Election of directors amended (C. L. '97 §1532). N. M. 80, 18 Mr  
 156 Amending P. C. '95 §1772 relating to election of trustees.  
 Mon. p. 56, 28 F  
 157 Illegal voting at school meeting a misdemeanor. Minn. 98, 25 Mr  
 158 Directors attending triennial conventions for electing county superintendents to be paid \$1 and expenses; misdemeanor for candidates to pay expenses of directors. Pa. 8, 18 Mr
- Districts. Place of attendance**
- 159 Formation. Division. Consolidation. Commissioners of each county in which there is territory not organized for school purposes may create districts; any school township containing city of 800 may organize exterior territory. Amending R. O. '95 §660. N. D. 143  
 160 Districts in unorganized counties must contain 12 [formerly 20] children of school age and 25 [formerly 50] voters; striking out provision as to limits. Amending '97 ch. 99 §6.  
 Minn. 46, 9 Mr

- 161 Formation of new districts amended ('95 p. 267).  
Mo. p. 346, 27 Ap
- 162 Part of one district wholly surrounded by another to be detached and added to latter.  
Minn. 293, 19 Ap
- 163 Commissioners' courts may change boundaries of districts when petitioning patrons live nearer school in other district or are cut off from their own school by obstacles. Amending R. S. '95 art. 3938.  
Tex. 183, 6 Je
- 164 New district formed from one or more old ones, is entitled to just share of school moneys of old districts and to *all* [formerly part] of special tax raised in new. Amending '97 ch. 118 §116.  
Wash. 14, 21 F
- 165 Issuance of bonds by districts shall *not* prevent formation of new districts *whether bonds have been paid or not*. Amending '97 ch. 118 §72.  
Wash. 14, 21 F
- 166 Three taxpayers having children from 5 to 12 living one and one half miles from school may appeal to probate judge from trustees' decision as to boundaries. Amending C. L. §4749.  
Mich. 253, 23 Je
- 167 Person or district affected by alteration of district may appeal to county commissioners who shall hear *de novo*; notice filed with any member of board if there is no clerk; indebtedness of districts affected shall be apportioned justly. Amending '97 ch. 118 §4.  
Wash. 14, 21 F
- 168 Alteration of boundaries of union free school districts amended ('94 ch. 556 t. 8 §30).  
N. Y. 540, 5 My
- 169 Partially depopulated districts may, upon petition, be attached to adjacent ones; compensation allowed for conveying pupils living three miles from school.  
Kan. 177, 6 Mr
- 170 Independent municipal districts. Providing for special districts and special taxes; election held on petition of one fourth of tax-paying electors.  
Fla. 17, 5 Je
- 171 Cities under 20,000, under special charters, and having the government of the public schools may extend their control to schools in territory annexed.  
Ill. p. 345, 12 Ap
- 172 City districts of 100,000 to 300,000 may annex adjoining city districts of less than 100,000; vote.  
Mo. p. 358, 6 Ap
- 173 Amending rules relating to the attaching of adjacent territory to independent districts (Ann. S. '99 §2530).  
S. D. 78, 6 Mr
- 174 Place of attendance. Minor amendment to power of trustees to admit pupils from other districts (R. S. '87 §1530 ¶14).  
Arl. 8, 21 F
- 175 Pupils in a district without a graded school may attend school in another district of the county; tuition to be paid by state; regulations.  
Del. 219, 9 Mr



## SUMMARY OF LEGISLATION, 1899

- 176 Application for transfer of child from one school corporation to another; appeal may be carried to state superintendent; tuition. Ind. 188, 4 Mr
- 177 Revision of law as to children in unorganized townships. Me. 89, 16 Mr
- 178 District boards empowered to admit pupils from adjacent districts and adjacent unorganized territory; privilege not to be refused when parents own property in district. Amending R. C. '95 §696. N. D. 84, 9 Mr
- 179 Child may attend in adjoining town. Amending Vt. S. §689. Vt. 25, 28 N '98
- Officers. Boards**
- 180 School officers and teachers may act as agents for their own publications. Amending '73 ch. 25 §23. Tenn. 24, 27 Mr
- 181 State. Governor to appoint three additional members of board of education. Amending Ann. S. '97 §4420. Ind. 193, 4 Mr
- 182 Salary of superintendent to be paid in *monthly* [formerly quarterly] instalments. Amending C. L. '97 §1516. N. M. 80, 16 Mr
- 183 Superintendent shall be ex officio treasurer and secretary of state board of education [formerly elected by board]. Amending '75 ch. 90 §12. Tenn. 343, 19 Ap
- 184 Referring to next legislature constitutional amendment fixing term of superintendent at two years. *Not repassed by legislature of 1899.* Wis. j. r. 22, '97
- 185 Referring to next legislature amendment to constitution fixing term of superintendent at four years. Wis. j. r. 16
- 186 Expenses of assistant superintendent and library clerk to be paid by state; superintendent may appoint mailing clerk, salary \$1000. Wis. 297, 28 Ap
- 187 Superintendent shall hold *two* [formerly four] annual conventions with county superintendents for purposes of consultation and advice. Amending R. S. '96 §166. Wis. 59, 24 Mr
- 188 County. Creating office of superintendent; to hold teachers examinations, to inspect schools and to apportion school fund. '97 p. 79 *reenacted to correct illegality in passage.* Id. p. 306, 17 F
- 189 On failure of county board to fill vacancy in the office of superintendent the county judge shall meet with the board and cast the deciding vote. Amending R. S. '97 ch. 122 §14. Ill. p. 343, 22 Ap
- 190 Revision of law governing superintendents; term *four* [formerly two] years; bond \$5000 [formerly \$1000]; liable to *impeachment* [formerly county commissioners might dismiss]. Ind. 143, 3 Mr
- 191 Term of office of superintendent to begin in *May* [formerly January]. Kan. 244, 4 Mr

- 192 Fixing qualifications of superintendent. Kan. 245, 4 Mr
- 193 Superintendents in counties of 23,000, where special laws fix salary at \$1000 or less with no clerk hire, must visit schools; salary to be fixed by general laws. Minn. 239, 17 Ap
- 194 Election of school commissioner amended ('95 p. 262). Mo. p. 350, 11 My
- 195 Chairman of board of education may administer oaths. N. C. 89, 13 F
- 196 Board of education abolished. Repealing '97, 108. N. C. 374, 4 Mr
- 197 Boards of education to consist of superintendent and two persons *elected for four years* [formerly appointed by county commissioners for two years]. Amending '95, 31. Nev. 13, 28 F
- 198 Repealing '89, 51-52, providing for election or appointment of superintendents in certain counties. Nev. 105, 20 Mr
- 199 Amending compensation of superintendent ('97, 60). N. M. 24, 1 Mr; 25, 1 Mr
- 200 Superintendent not to receive per diem payment. Amending C. L. '97 §1524. N. M. 90, 16 Mr
- 201 Term of office of superintendent to begin first Monday in July after election. Okl. 30 art. 1, 10 Mr
- 202 Fixing qualifications of deputy superintendents. Amending Okl. S. '98 §5762. Okl. 30 art. 3, 24 F
- 203 Applicants for position of superintendent to be examined in October *and other times fixed by state board; those standing 90% on average and below 70% in no study exempt from further examination.* Amending '95, 54. Tenn. 231, 17 Ap
- 204 Person under contract to teach no longer ineligible to election as superintendent. Amending R. S. '98 §702a. Wis. 351, 4 My
- 205 Candidate for superintendent must have taught [formerly successfully] eight months in state; *his affidavit prima facie evidence.* Amending R. S. '98 §37. Wis. 351, 4 My
- 206 District. Township. Towns of not over 1500 may abolish boards of trustees and give control to township trustees. Ind. 160, 3 Mr
- 207 Voter owning *in his own right* property *assessed* [formerly liable to assessment] eligible to school district office. Amending C. L. §4069. Mich. 184, 28 Ap
- 208 District officers shall be elected third Saturday in *July* [formerly June]; take office *August* [formerly July] 1. Amending '97, 195. Minn. 15, 17 F
- 209 School boards may fill vacancies in board till next general election. Minn. 193, 13 Ap
- 210 Repealing '91, 81, and supplementary acts, providing for election of trustees. [Revised law of '97 ch. 88 covers the same ground.] Nev. 105, 20 Mr

## SUMMARY OF LEGISLATION, 1899

- 211 Two or more towns or special districts may unite to form supervisory district for employing a superintendent of schools; regulations. N. H. 77, 11 Mr
- 212 Certain officers of districts not to teach in schools. Amending G. L. ch. 61 §6. R. I. 620, 3 Mr
- 213 Where school and civil districts are not coextensive, three directors shall be elected biennially. Tenn. 218, 13 Ap
- 214 School trustees shall be elected on first Saturday in *April* [formerly June] and enter on duties on first of *May* [formerly July]. Amending R. S. '95 art. 3953. Tex. 37, 15 Mr
- 215 Including school trustees in law against bribery. Pen. C. '95 t. 5 ch. 1. Tex. 181, 5 Je
- 216 Amending duties of directors and of clerk of board. Vt. S. §673, 679-80. Vt. 20, 1 D '98
- 217 **Municipal and independent.** Term of members of board of education in cities of 1500 to begin in *May* [formerly July]. Amending C. S. '97 §4806. Neb. 66, 1 Ap
- 218 Boards in cities of 100,000 voting to accept this act to consist of nine members elected from city at large for three year term; vacancies. N. J. 74, 22 Mr
- 219 Boards in cities of 100,000 may appoint secretary; term not to exceed five years. N. J. 186, 24 Mr
- 220 Superintendents in cities of 100,000 to have such powers and duties as the boards may determine; salary not to exceed \$4500. N. J. 183, 24 Mr
- 221 Providing uniform method of electing trustees in independent districts and repealing R. S. '95 art. 4008, making county judges and mayors of cities and towns ex officio members. Tex. 51, 30 Mr
- 222 Boards of education not affected by raising village to fourth class city. Amending R. S. '98 §925, subdiv. 115. Wis. 287, 28 Ap
- 223 Districts containing city of 1500 and spending on schools \$4000 in year ending July 1, 1898 may have seven directors. Wis. 317, 2 My
- Buildings. Grounds**
- 224 **Construction.** County commissioners on request of school board may after vote of taxpayers contract debts for school real estate. Fla. 21, 1 Je
- 225 Boards in city districts under 10,000 may issue bonds for school-houses. Minn. 155, 11 Ap; 237, 17 Ap
- 226 On notice from the board that additional accommodations are needed council may make appropriation; bonds. N. J. 108, 23 Mr

- 227 Municipalities may borrow money to restore schoolhouses damaged or destroyed; limit; sinking fund; temporary quarters.  
N. J. 198, 24 Mr
- 228 County superintendent may, if a district refuses to build schoolhouse, transfer portion of school fund to school building fund.  
N. M. 46, 15 Mr
- 229 Districts may borrow \$500 for building purposes.  
Or. p. 21, 15 O '98
- 230 Boards of education in taxing districts of 60,000 may issue \$30,000 additional bonds for buildings.  
Tenn. 273, 22 Ap
- 231 Districts adjacent to incorporated town may build and control schoolhouse in town.  
Tenn. 328, 20 Ap
- 232 Sites. Grounds. Board of education may acquire sites for schoolhouses under the law of eminent domain. Ill. p. 349, 22 Ap
- 233 Cities of 36,000 may condemn land for schools. Amending '91, 41.  
Tenn. 382, 21 Ap
- 234 Care. Sanitation. Repealing '97, 17 creating territorial schoolhouse insurance fund.  
Okl. 17 art. 2, 2 Mr
- 235 District boards must provide water closets for school buildings.  
Neb. 61, 7 Mr

### School finance

State taxes and funds. (*See also* State finance, 1069)

- 236 Permanent free school fund may be invested, first in United States, state or county bonds; then in municipal bonds; boards of education shall have 10 days option on county or municipal bonds approved by attorney general at price offered by best bona fide bidder. Amending R. S. '95 art. 3892-94.  
Tex. 87, 20 Ap
- 237 Taxes. General property tax of 1 mill levied for schools.  
Ala. p. 217, 23 F
- 238 Legislature may appropriate \$100,000 for schools from state treasury and levy a school tax; total to equal \$5 a child. Amending '94, 335.  
N. J. 31, 15 Mr
- 239 Collateral inheritances to be taxed 5%; proceeds to be for support of state university and for educational purposes.  
Mo. p. 328, 19 Ap
- 240 Funds. Lands. (*See also* Public lands, 1125) 16th-section fund to be transferred to permanent school fund. Ark. 159, 8 My
- 241 Commissioner of school fund in his annual report to state amount of interest due and unpaid for six months or more. Repealing G. L. '88 §356. Ct. 34, 30 Mr
- 242 Amending salary of commissioner of school fund (G. L. '88 §3706).  
Ct. 162, 9 Je

## SUMMARY OF LEGISLATION, 1899

- 243 General law relating to management of school lands and funds derived from them. Repealing C. S. '97 ch. 80. Neb. 69, 1 Ap
- 244 Repealing G. S. §1363-64 authorizing state superintendent to draw percentage allowed by United States on sale of public lands. Nev. 105, 20 Mr
- 245 Repealing requirement that territorial school fund be kept separate from others (C. L. '97 §1540). N. M. 80, 16 Mr
- 246 State finance law '98, 360 amended as to disposition of surplus moneys arising from foreclosure of loan office mortgages made to secure investments of education fund. N. Y. 458, 27 Ap
- 247 Commissioner of university and school lands authorized to lease lands for two years to clear same of weeds; rent in advance. N. D. 166, 9 Mr
- 248 Fixing fees in office of commissioner of university and school lands. N. D. 165, 24 F
- 249 Generally amending laws relating to management of the irreducible school fund. Or. p. 156, 18 F
- 250 Withdrawing from sale certain school lands and reducing rate of interest on loans from school and university funds. Or. p. 76, 17 F
- 251 Lands recovered from railroads or other parties by state shall be part of permanent school fund. Tex. 81, 18 Ap
- 252 Repealing R. S. '95 §3898-3901 transferring 1% of permanent school fund to available fund annually. Tex. 14, 1 Mr
- 253 Investment of funds. Loans from school fund on real estate amended (G. L. '88 §357). Ct. 36, 30. Mr
- 254 Submitting constitutional amendment allowing permanent educational funds of the state to be loaned on school district bonds and on state warrants. *Vote November 1900.* Id. p. 330, 8 Mr
- 255 State land commissioners may accept deed from mortgagor of lands on which school money has been loaned and discharge him from the debt. Id. p. 439, 6 Mr
- 256 Submitting constitutional amendment permitting permanent school and university funds to be invested in local government bonds which will not make debts exceed 15% [formerly 7%] of assessed valuation. *Vote November 1900.* Minn. 92, 23 Mr
- 257 State treasurer may invest school fund in bonds of school districts [formerly at not less than 5% interest]. Amending '86, 45. N. J. 130, 23 Mr
- 258 Referring to next legislature amendment to constitution authorizing school funds to be invested in municipal bonds. N. D. p. 261
- 259 Permanent school fund may be invested in county bonds [formerly bearing 5% interest]. Amending R. S. '95 art. 3893. Tex. 137, 23 My

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- 260 School funds may be loaned for erection of school buildings or refunding indebtedness, for not over 15 [formerly 10] years at 3 1-2% [formerly 4%]. Amending R. S. '98 §258, 261.  
Wis. 129, 8 Ap
- 261 Surplus school funds may be invested in town, village, city or county bonds netting 3½; may be loaned to boards of education at 3 1-2% [formerly 4%].  
Wis. 130, 8 Ap
- 262 Apportionment. State aid. Manner of payment to county of its apportionment of school fund amended (Code '96 §3601).  
Ala. p. 45, 16 D '98
- 263 State school funds to be withheld from towns neglecting to examine teachers, have prescribed instruction given or provide textbooks. Amending R. S. ch. 11 §7.  
Me. 64, 11 Mr
- 264 State aid to rural schools \$35,000 [formerly \$20,000] annually; not over 30% [formerly 20%] of districts in county to be aided in any year; schools of two rooms, with one teacher holding first grade certificate and one at least second grade, entitled to \$100 [formerly \$50]. Amending '97, 259.  
Minn. 54, 11 Mr
- 265 Revision of laws as to state high school board and state aid; inspectors of high and graded schools; four classes of schools to be aided: state high, \$85,000; graded, \$26,000; semigraded, \$11,000; rural, \$40,000.  
Minn. 352, 21 Ap
- 266 Repealing '93, 421, appropriating to each district an amount equal to its special school tax.  
N. C. 393, 6 Mr
- 267 Appropriating \$100,000 annually to schools of the state, to be apportioned to counties on the basis of school population.  
N. C. 637, 8 Mr
- 268 Minor amendments relating to apportionment of tuition fund.  
N. D. 83, 6 Mr
- 269 Distributing the funds to arise from leasing territorial school lands.  
Okl. 25, 10 Mr
- 270 Controller of treasury shall certify to county judge amount of warrant for school funds sent semiannually to county trustee.  
Tenn. 395, 21 Ap
- 271 No state funds to go to districts unless school is maintained seven [formerly six] months. Amending R. S. '98 §554.  
Wis. 115, 1 Ap
- 272 State superintendent to apportion school money to counties between December 10 and 15 [formerly November 1]. Amending R.S.'98 §1072a.  
Wis. 351, 4 My
- 273 Miscellaneous regulations. Annual and enumeration reports of school directors good under their official oaths when signed; misdemeanor to certify falsely.  
Ark. 47, 7 Mr

- 274 State board may spend \$1000 annually for school registers, blanks and forms. *Mass.* 111, 28 F
- 275 Repealing C. L. '97 §1539, requiring territorial treasurer to give bond as treasurer of school fund. *N. M.* 80, 16 Mr

**County taxes and funds**

- 276 **Taxes.** School law amended as to making alphabetic lists of resident taxpayers by school board, and as to records of school taxes by county clerk and collector (R. S. '89 §7999, 8067-68, 8070). *Mo.* p. 348, 29 Ap
- 277 Collection of delinquent school taxes slightly amended (R. S. '89 §8071). *Mo.* p. 352, 29 My
- 278 **Investment of funds.** County auditor shall provide bulletin board; post monthly statement of unloaned school funds. *Ind.* 95, 24 F
- 279 Counties may acquire title to lands mortgaged to secure school funds, in case of default and inability to sell for enough to pay loan. *Ind.* 39, 17 F
- 280 County court not to loan school funds to county officer. Amending R. S. '80 ch. 143 art. 1. *Mo.* p. 351, 29 My
- 281 Submitting constitutional amendment: counties to invest permanent school and endowment funds in bonds of school corporation, state, county or municipality, or in first mortgages on improved farm lands. *Vote November 1900.* *S. D.* 63
- 282 **Accounts.** Clerk shall register all district and general school fund warrants; unlawful to pay till registered. *Ark.* 115, 13 Ap
- 283 Treasurers shall pay school funds [formerly pro rata] on registered warrants [formerly if payment asked in 30 days after notice]; orders of any board of directors [formerly except single school districts in cities and towns] shall be presented in 60 days. Amending Digest '94 §7081, 7085. *Ark.* 121, 17 Ap
- 284 Distribution of school funds to districts by county superintendent amended (Ann. L. '87 §2008). *Or.* p. 225, 22 F
- 285 Warrants for school expenses except salaries to be countersigned by county superintendent and by him recorded. Amending '97, 85. *Tenn.* 410, 22 Ap
- 286 County treasurer shall have commission of  $\frac{1}{2}\%$  for receiving and same for disbursing school funds. Amending '97, 17, special. *Tex.* 187, 6 Je

**District finances**

- 287 **Taxes.** School districts over 50,000 may levy additional school tax of  $1\frac{1}{2}$  mills. *Minn.* 77, 20 Mr
- 288 District tax not to exceed 15 [formerly 9] mills for support. Amending G. S. 1558. *Minn.* 117, 8 Ap

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- 289 Amending C. S. '97 §4672 relating to tax limit in any district for general purposes. Neb. 60, 31 Mr
- 290 Collector of school district taxes to give notice that taxes may be voluntarily paid during next 30 [formerly 14] days. Amending '96 ch. 575 §81. N. Y. 440, 25 Ap
- 291 *Debts.* School authorities on petition of majority of heads of families must submit to vote whether bonds shall be issued to refund debt evidenced by bonds or warrants. Amending P. C. §1880. Cal. 78, 13 Mr
- 292 Interest on school bonds and unpaid teachers orders must not exceed 7% [formerly 8%]; funds loaned by township treasurer shall bear interest at not less than 5% [formerly 6%] nor more than 7% [formerly 8%]. Amending R. S. '97 ch. 122. Ill. p. 351, 24 Ap
- 293 Districts having 40 children of school age may have debt of \$750. Amending C. L. §4717. Mich. 190, 10 My
- 294 Depositories for district sinking funds authorized; bond required. Amending R. C. '95 §779. N. D. 145, 18 F
- 295 Districts having indebtedness in excess of constitutional limit may issue extension coupons on bonds coming due. S. D. 54, 24 F
- 296 Districts must make returns of bond elections to county auditor. S. D. 56, 6 Mr
- 297 Bonds issued for sites, buildings or for refunding indebtedness shall not exceed 4% [formerly 3%] of assessed valuation. Amending Ann. S. '99 §2547. S. D. 57, 4 Mr
- 298 *Accounts.* Unlawful to employ teacher unless district has money to its credit in county treasury, or taxes to be paid are sufficient. Ark. 196, 8 My
- 299 Each school district to appoint three taxpayers to audit accounts. Wis. 162, 12 Ap

**Municipalities. Special districts**

- 300 *Taxes.* Amending '97, 181 relating to tax levy for schools in cities of 15,000; cities of 30,000 [formerly 40,000] given special powers. Kan. 252, 28 F
- 301 Cities of 50,000 may levy additional tax of 1½ mills for schools. Minn. 40, 6 Mr
- 302 Cities under 10,000 may levy special school tax to cover deficiencies, not over 15 mills. Minn. 297, 19 Ap
- 303 In cities of 80,000 the board of education shall report annually to city council the number of mills tax on the dollar [formerly the amount of money] necessary for schools. Neb. 68, 31 Mr



## SUMMARY OF LEGISLATION, 1899

- 304 In enforcing collection of school taxes in independent districts, the board of trustees, president and county attorney shall perform the duties devolving in similar cases on city council, mayor and city attorney respectively. Amending R. S. '95 art. 4002.  
Tex. 108, 12 My
- 305 Cities under 40,000 may levy additional school tax of 1 mill.  
Wis. 81, 30 Mr
- 306 Estimate of city school expenses shall be made prior to *March 1* [formerly October 1]; *council shall fix levy before April 1*. Amending R. S. '98 §925 subdiv. 119, 142. Wis. 186, 14 Ap
- 307 Debts. Legalizing city school bonds issued pursuant to '93, 204, and 95, 128 if carried by two-thirds vote Minn. 9, 9 F
- 308 Independent school district bonds to draw not over 5%; not to be sold under par; amount to be designated by voters. Repealing '97, 359. Minn. 103, 29 Mr
- 309 Accounts. Funds. Creating teachers salary fund in counties and cities constituting but one district. Cal. 64, 8 Mr
- 310 In cities, towns and villages with two or more districts school money from licenses to be divided between districts according to number of children. '95 p. 90 reenacted to correct illegality in passage. Id. p. 253, 14 F
- 311 In cities of 1,000,000 president of board of education may use rubber stamp signature on city warrants. Pa. 20, 30 Mr
- 312 Amending apportionment of town school money to special school districts (Vt. S. §848, 850). Vt. 20, 1 D '98

## Teachers

- 313 Employment. Pay. Contracts between teachers and school corporations shall be in writing; public record of contracts.  
Ind. 111, 28 F
- 314 Salaries of teachers payable *monthly* [formerly quarterly]. Ga. p. 70, 21 D '98
- 315 Generally amending '96, 32 relative to teachers retirement fund.  
N. J. 178, 24 Mr

## Qualifications. Examinations. Certificates

- 316 Examinations. Certificates. State board of examiners for teachers; superintendent of education to be president; questions to be prepared and printed by board and sent to county superintendents who shall conduct examinations and return papers to board; board marks the papers and issues certificates; fee for examination. Ala. p. 217, 10 F
- 317 Boards in cities of 30,000 to 100,000 may examine and issue certificates. Amending '89 p. 256. Ill. p. 344, 24 Ap

- 318 Examinations to be conducted by county superintendent; questions furnished by state superintendent; applicants may have their papers examined by state superintendent and receive state license. Ind. 216, 6 Mr
- 319 Revision of law as to examinations and certificates. Repealing G. S. §3747; '95, 182. Minn. 101, 27 Mr
- 320 General law; four grades of certificates; state board of examiners established; graduates of state university entitled to first grade county certificate. Wy. 70, 21 F
- 321 Minor amendments to G. S. '97 ch. 63 §117, 165-66, relating to examining committee of boards. Kan. 178, 6 Mr
- 322 Repealing '77 ch. 74 subch. 7 §20 relating to appointment of examiners for independent districts. Minn. 354, 21 Ap
- 323 Granting of certificates amended ('93 p. 251; '91 p. 211). Mo. p. 361, 29 My
- 324 Certificates issued by superintendent of public instruction *shall* [formerly may] be accepted by school committees. Amending '95, 49. N. H. 12, 21 F
- 325 State board shall issue two year certificates in music, drawing, penmanship, kindergarten work and foreign languages. Nev. 72, 14 Mr
- 326 Misdemeanor to draw voucher for teaching branches not authorized in teacher's certificate; penalty. Nev. 72, 14 Mr
- 327 State board may grant temporary certificate for specified district, valid till next regular examination; may issue high school and *grammar grade* life diplomas. Amending '95 ch. 91. Nev. 78, 16 Mr
- 328 Amending time of holding teachers quarterly examinations by county board of examiners and disposition of papers after three years. Or. p. 36, 1 O '98
- 329 County teacher's examination fee \$2 [formerly \$3]; permanent primary county and city certificate to holders of second grade four year certificates passing in history of education and psychology; holder of low grade certificate may *at any time during validity thereof* [formerly one year from date] take examination on additional subjects for higher grade; mental and moral science no longer required. Amending R. S. '95 t. 86 ch. 13. Tex. 186, 6 Je
- 330 Amending Vt. S. ch. 35 relative to examinations and permits. Vt. 20, 1 D '98
- 331 City superintendents may issue certificates, after examination, to teach any special branches provided by board and approved by state superintendent. Wis. 148, 10 Ap

- 332 Higher certificates. Graduates.** Minor amendment to granting of state diplomas (Ann. S. '91 §3967-68). **Col.** 135, 29 Ap
- 333** State superintendent may countersign life state certificates of other states having equivalent requirements, thus making them valid in Indiana. **Ind.** 201, 4 Mr
- 334** Authorizing three year certificates and life certificates to certain graduates of the state univeristy and of institutions in the state having equal requirements. **Kan.** 179, 3 Mr
- 335** University certificate valid two years from date *thereof* [formerly of graduation]. Amending '95, 181. **Minn.** 20, 25 F
- 336** State superintendent may authorize holders of college diplomas to teach *on filing evidence of required amount of study of psychology and pedagogy.* **Wis.** 120, 7 Ap
- 337** Unlimited certificate to be given to holders of college and normal school diplomas after two years experience *for foreign or one year for home graduate.* Amending R. S. '98 §458c. **Wis.** 237, 21 Ap
- 338 Normal school graduates.** Graduates of normal department of Georgia normal and industrial college may teach without examination. **Ga.** p. 70, 20 D '98
- 339** Graduates of state normal may teach without further examination; life diploma after two years experience. **Mon.** p. 51, 22 F
- 340** Normal school standings may be accepted in lieu of examination for first to third grade certificates, in three years. **Wis.** 104, 30 Mr

#### Institutes. Training classes

- 341** State aid to county institutes not to exceed \$100 [formerly \$60] a year in any county; aggregate not over \$3000 [formerly \$1800]. Amending C. L. §4844-45. **Mich.** 64, 2 My
- 342** State and county institute funds and special county appropriations may be applied to support of teachers training schools; teacher shall not receive pay for more than five days attendance at institute or training school. Amending R. C. '95 §751, 757. **N. D.** 81, 9 Mr
- 343** County superintendent to make annual report to secretary of state teachers reading circle concerning circles in his county and to provide an annual examination. Amending Ann. S. '99 §2515. **S. D.** 77, 25 F
- 344** Board of regents may spend annually \$12,000 [formerly \$8000] for institutes, \$6000 [formerly \$2000] of which from general fund. Amending R. S. '98 §408. **Wis.** 179, 14 Ap
- 345** Authorizing county boards to establish training schools in any county not containing state normal; county training school boards created; state aid. **Wis.** 268, 26 Ap

## Normal schools

- 346 **Established.** Northern Arizona normal near Flagstaff. Repealing '97, 25. Ari. 24, 11 Mr
- 347 State normal at San Francisco; \$20,000. Cal. 141, 22 Mr
- 348 State normal at Albion; trustees; management. '93 p. 179; '97 p. 42 reenacted to correct illegality in passage. Id. p. 228, 14 F
- 349 State normal at Lewiston. '93 p. 6 reenacted to correct illegality in passage. Id. p. 164, 7 F  
Amended as to terms of first trustees. Id. p. 369, 6 Mr
- 350 Western Illinois state normal. Ill. p. 72, 24 Ap
- 351 State normal at Marquette; \$25,000 for building. Mich. 51, 28 Ap
- 352 State normals at Randolph, Johnson and Castleton continued till 1920. Vt. 21, 1 N '98
- 353 Summer sessions of state university authorized, in graduate and closely related courses, including psychology and history and philosophy of education, for benefit of white teachers. Ga. p. 69, 22 D '98
- 354 **Government. Management.** Local [formerly joint] boards of state normal schools to elect school presidents who shall be ex officio members of joint [formerly and local] board; joint board consists of *chairman and two* [formerly all] members of local boards. Amending P. O. §354, 1489, 1492. Cal. 63, 8 Mr
- 355 Name of state normal school changed to state normal college. Mich. 52, 28 Ap
- 356 Repealing restriction on number of teachers in model schools at state normals (G. S. §3844). Minn. 358, 21 Ap
- 357 Repealing '97, 119; '95, 217 defining duties of local boards of state colored normals. N. C. 73, 10 F
- 358 State board of normal school commissioners established; governor to also appoint one person for each school to act with board and state superintendent of education in matters pertaining solely to the school. Vt. 22, 30 N '98
- 359 Regents of normal schools shall be the state superintendent and 10 appointees [formerly nine and the governor]; term *five* [formerly three] years; not over *one* [formerly two] from same congressional district. Amending R. S. '98 §393. Wis. 74, 30 Mr
- 360 **Funds. Support.** Making levy for normal schools *specific* in amount [formerly percentage]. Amending R. S. '98 §390, 406a. Wis. 170, 13 Ap
- 361 **Free scholarships.** At state normal 200 [formerly 100] free scholarships may be maintained. Amending R. S. '98 §2305. U. 82, 20 Mr
- 362 **Instruction.** New Mexico normal *university* [formerly school] to add courses in manual and kindergarten training. N. M. 18, 17 F

## Attendance. Instruction

**Attendance**

- 363 Compulsory attendance.** Children between 8 and 14 must be sent to school at least 12 weeks each year; regulations. Ari. 13, 2 Mr
- 364** In districts of over 350 school population all children between 8 and 14 shall attend school not less than 20 weeks each year; exception; minors between 14 and 16 unable to read and write English to attend school till certificate is given; truant officer and his duties; penalties. Col. 136, 12 Ap
- 365** Revision of compulsory education law ('97, 185). Ind. 244, 6 Mr
- 366** Compulsory school attendance from 8 to 16 years, for entire session, in all districts and cities; boards may appoint truant officers and establish special schools for truants, vicious and wandering children. Minn. 226, 14 Ap
- 367** Children from 7 to 15 must attend school for six months every year, in cities of 10,000; board may approve private schools where instruction is in English; truant officers; children under 15 not to be employed except in vacations unless excused by board of education; \$25 fine for employing during school session child under 16 who can not write his name. Wash. 140, 14 Mr
- 368** Children between 7 [formerly 8] and 16 to attend school; other amendments to G.L. '88 §2102. Ot. 19, 21 Mr
- 369** Children between 8 and 14 must attend some public, private or *parochial* school; *board of education to serve notice on delinquent parents.* Repealing C. S. '97 §4853-54. Neb. 67, 31 Mr
- 370** Children graduates of grammar school may be granted certificates allowing them to work in manufactories. Amending P. S. '91 ch. 93 §12. N. H. 84, 11 Mr
- 371** **Truancy.** Cities of 100,000 must and cities of 25,000 to 100,000 may establish truant schools; regulations. Ill. p. 346, 24 Ap
- 372** Revision of truant laws. Me. 80, 15 Mr
- 373** Judge may release truant for specified time in case of death or illness of near relative. Mass. 201, 28 Mr
- 374** Minor amendment to C. L. §11,766 as to commitment of truants to reformatory. Mich. 75, 11 My
- 375** School boards *shall* [formerly may] appoint truant officers; duty of officers in regard to children not in school and children in manufacturing establishments amended. P. S. '91 ch. 92 §15-18. N. H. 70, 11 Mr
- 376** Any *child* [formerly boy] who is an habitual truant and incorrigible may be sentenced to Vermont industrial school. Amending Vt. S. §718. Vt. 26, 21 N '98

- 377 Conveyance of pupils. Consolidation of schools. School committee may pay scholar's board instead of providing conveyance. Amending '97, 295. Me. 48, 8 Mr
- 378 Verbal amendments to '97, 295 as to discontinuing schools and carrying children. Me. 56, 10 Mr; 62, 11 Mr
- 379 Conveyance shall be provided when necessary *in the judgment of committee*. Amending '97, 295. Me. 74, 15 Mr
- 380 Any school may be discontinued when *average attendance for 10 consecutive days* [formerly when number of pupils residing nearest] shall be less than four. Amending R. C. '95 §704. N. D. 81, 9 Mr
- 381 Board shall submit question of consolidating common schools, on petition of majority of electors; two thirds majority required; board shall in such case transport pupils to and from school. Amending R. C. '95 §704. N. D. 81, 9 Mr
- 382 Town school directors *on application of 10 taxpayers shall* [formerly may] use portion of school money for conveyance of children *living one and one half miles from school*. Amending Vt. S. §685. Vt. 23, 30 N. '98
- 383 School year. Minimum term in certain counties to be *three* [formerly five] months. Amending R. S. '87 §1531, 1576. Ari. 56, 16 Mr
- 384 Power to fix length of terms given to county boards of education. Ga. p. 71, 22 D '98
- 385 School year shall be not less than *six* [formerly five] nor more than nine months. Ill. p. 350, 12 Ap; 21 Ap
- 386 Minimum term to be seven months. Pa. 26, 4 Ap
- 387 Schools to be kept open three months; controller general to make estimate of deficiency and apportion to counties for schools the income from sale of liquors by the state. S. C. 85, 3 Mr
- 388 Age. Census. Children over 5 to be admitted to public school; children over 4 may be admitted; kindergartens may be established for children over 3. Ct. 54, 14 Ap
- 389 Children attaining age of 5 after beginning of term not to be admitted to graded schools till next year without special permission of school board or directors. Amending Vt. S. §709. Vt. 24, 30 N. '98
- 390 School census to be taken by *county superintendent* [formerly school supervisor] every 10 [formerly four] years. Amending R. S. §260-61. Fla. 18, 1 Je
- 391 School census to be taken at least every five years in cities of 300,000. Amending '97 p. 220. Mo. p. 352, 12 Ap
- 392 School census to be taken in *June* [formerly December]. Amending R. C. '95 §707. N. D. 81, 9 Mr

- 393 Amending '97 ch. 215 §5 relating to enrolment by assessors of number of children of school age. Pa. 57, 19 Ap
- 394 Amending G. L. ch. 100 §21 relating to the taking of school census. R. I. 621, 3 Mr

**Textbooks**

- 395 **State supervision.** Creating state board of commissioners to contract with publishers for uniform free textbooks for schools for six years; but any school district may decide not to have free textbooks and may sell to pupils books adopted by commissioners. Id. p. 401, 9 Mr
- 396 Creating state board of commissioners; to select textbooks to be used in schools for period of six years without change; publishers to contract to sell at fixed price. Or. p. 87, 17 F
- 397 Creating state textbook commission; uniform texts, not to be changed oftener than five years; contracts with publishers or authors. Tenn. 205, 13 Ap
- 398 Uniform textbooks to be adopted by state commission additional to those named in '97, 179. Kan. 176, 2 Mr
- 399 State textbook commission made permanent; contracts may be renewed. Amending '97 ch. 179 §2. Kan. 31, 6 Ja
- 400 No adoption or contract for free textbooks shall be for less than three nor more than five years; publishers to furnish to superintendent of public instruction lists of books, prices and sample copies; board to provide free books when two thirds of voters petition or when board see fit [formerly submitted to popular vote]. Amending R. C. '95 §863-64. N. D. 82, 8 Mr
- 401 Repealing '97, 198 providing for uniform textbooks. Mich. 27, 30 Mr
- 402 **County contracts.** Counties may adopt uniform textbooks on vote of electors; county book boards to select texts; special districts may adopt different books; books in use in counties not adopting shall not be changed for one year. Ark. 89, 31 Mr
- 403 County board of public instruction to adopt uniform textbooks. Fla. 19, 5 Je
- 404 **District contracts.** Revising free textbook law. Vt. S. ch. 41. Vt. 27, 30 N '98
- 405 School directors to provide free textbooks and school supplies; contracts with publishers; agreement with local dealer. Wy. 29, 16 F

**Branches. Courses.** (See also Deaf and dumb, blind, 3533)

- 406 **Courses. Grades.** Boards of education in cities of 3000 to 10,000 may maintain public *primary, kindergarten, grammar and evening* schools. Amending '83 ch. 49 §798. Cal. 83, 14 Mr

- 407 **Special branches.** Physiology and hygiene, including effect of stimulants and narcotics, to be taught in common schools; after two years teachers must be examined therein.

Ark. 52, 10 Mr

- 408 Arbor and bird day to be designated by governor each spring. Amending G. S. '88 §1756. Ct. 14, 17 Mr; 70, 20 Ap

- 409 Arbor day to be observed in the schools. '90-91 p. 196 reenacted to correct illegality in passage. Id. p. 133, 7 F

- 410 Governor may designate arbor and bird day. Minn. 36, 3 Mr

- 411 Physical education to be part of daily training in all schools supported by state. N. D. 85, 8 Mr

- 412 State constitution to be taught in primary and secondary schools. Amending '91, 132. Tenn. 28, 23 Mr

- 413 Humane treatment of animals to be taught in all public schools, at least 10 minutes every two weeks; no extra textbooks to be required. Amending R. S. '95 art. 3909a. Tex. 135, 23 My

- 414 **Kindergarten.** May be established for children over 3.

Ct. 54, 14 Ap

- 415 School districts may maintain in connection with public schools.

Mon. p. 64, 16 F

- 416 May be established by board of education of any district; special certificate for teachers. Amending R. S. '74 p. 763.

N. J. 133, 24 Mr

- 417 Question of maintaining may be submitted to vote in districts having graded school of over two departments; boards of education in cities under 40,000 to estimate cost of kindergartens and council to act thereon. Amending R. S. '98 §430.

Wis. 298, 28 Ap

- 418 Boards in districts containing city, town or village of 1000 may establish kindergartens; teachers must be graduate of kindergarten college or, in addition to teacher's certificate, be examined in kindergarten methods. W. Va. 41, 24 F

#### High schools

- 419 Counties of fourth and fifth classes, as classified for county salaries, may organize into high school districts; vote; tax levy.

Col. 100, 8 Ap

- 420 Every town [formerly towns with grand list not exceeding \$900,000] to be partly reimbursed by state for tuition paid by high school pupils. Amending '97 ch. 249 §2. Ct. 71, 20 Ap

- 421 Districts in counties not maintaining a county high school may pay tuition of their pupils in other high schools. Kan. 250, 4 Mr

- 422 Revision of laws as to state high school board and state aid; inspectors of high schools. Minn. 352, 21 Ap



- 423 Authorizing the establishment of county high schools after vote; trustees; regulations. **Mon.** p. 59, 3 Mr
- 424 To be open to nonresident pupils free; in lieu of tuition from pupil, the school to receive from county an allowance for each pupil; restrictions. Amending C. S. '97 §4724, 4800, 4805, 4856. **Neb.** 62, 1 Ap
- 425 Graded high school admitting students without charge from any part of the state entitled to money from state high school board; inspection; \$4000 annual appropriation. Amending R. C. '95 §868-73. **N. D.** 81, 9 Mr
- 426 County court may establish county high schools; county board created to control; additional tax of  $1\frac{1}{2}$  mills. **Tenn.** 279, 22 Ap
- 427 Establishing an academic department in state normal school; branches required for admission to state university to be taught; annual appropriation \$5000 [formerly \$3000]. Amending Code '91 ch. 45. **W. Va.** 16, 22 F
- 428 Two or more adjoining towns or school districts, or one or more towns or school districts and an incorporated village or city may unite to maintain high school. Amending R. S. '98 §491. **Wis.** 57, 24 Mr
- 429 State aid to high schools limited to \$100,000 [formerly \$50,000]; not over \$75,000 [formerly \$25,000] of this to be paid to graded school districts. Amending R. S. '98 §496. **Wis.** 214, 19 Ap

#### Miscellaneous school regulations

- 430 State board to furnish cards for testing pupils' eyesight by teacher. **Ct.** 104, 11 My
- 431 Towns may establish vacation schools; attendance not compulsory and not to count on required time. **Mass.** 246, 10 Ap
- 432 Supplies. Districts may spend \$25 annually for maps, books and apparatus, if approved by electors. Amending Digest '94 §7045. **Ark.** 21, 27 F
- 433 Evening schools. Adults may enter evening schools. Amending Vt. S. §834. **Vt.** 28, 30 N '98
- 434 Lectures. Providing additional instruction in natural history, geography, etc. by means of pictorial representations and lectures in certain free common schools; superintendent of public instruction to supervise. **N. Y.** 489, 2 My
- 435 Private schools. Providing for incorporation of Ursuline academies. **Mich.** 135, 21 Je
- 436 School committee contracting for tuition of pupils in academy having under \$10,000 endowment to act with equal number of academy trustees in hiring teachers and arranging course of study. Amending R. S. ch. 11 §34. **Me.** 6, 10 F

## Higher and professional education

- 437 **State institutions generally.** (Blind and deaf and dumb schools are sometimes included in definition) Indiana university, Purdue university and state normal to report receipts and expenditures in detail to state auditor semiannually. Amending '95, 80. **Ind.** 183, 4 Mr
- 438 Providing for incorporation of societies to aid students in state institutions. **Mich.** 250, 15 Je
- 439 Joint committee appointed to inquire into management, prosperity and needs of the various institutions of the territory. **N. M.** p. 108, 1 Mr
- 440 Amending tax levy for territorial institutions. '97 art. 11 ch. 32. **Okl.** 28 art. 4, 9 Mr

## State universities

- 441 **Establishment. Government.** Summer sessions of state university authorized, in graduate and closely related courses, including psychology and history and philosophy of education, for benefit of white teachers. **Ga.** p. 69, 22 D '98
- 442 Regents to serve *six* [formerly two] years. Amending '89 p. 17. **Id.** p. 392, 28 F
- 443 Repealing '75, '76 giving board of regents control of buildings and grounds and power to employ principal of preparatory department. **Nev.** 105, 20 Mr
- 444 Board of visitors for Norwich university established; four appointees of governor and superintendent of education; annual appropriation \$1800. **Vt.** 33, 16 N '98
- 445 Regents shall elect superintendent of grounds and buildings, *secretary for faculty*, secretary for board and a treasurer; *compensation not to exceed \$300* [formerly no compensation]. Amending Code '91 ch. 45 §80. **W. Va.** 24, 22 F
- 446 **Support. Finance.** Levying annual tax of  $\frac{3}{8}$  mill for university of Arizona. **Ari.** 50, 16 Mr
- 447 Property of University of California may be insured. **Cal.** 119, 20 Mr
- 448 State tax of  $1\frac{1}{4}$  [formerly  $\frac{1}{8}$ ] mill for university. Amending C. L. §1807. **Mich.** 102, 7 Je
- 449 Regents may accept gifts conditioned on payment of annuities; donations not to be paid over to state treasurer unless so agreed. **Mich.** 86, 26 Mj
- 450 Generally amending C. S. '97 ch. 87 as to designation and management of funds of university. **Neb.** 76, 15 F
- 451 Annual appropriation for university  $\frac{3}{8}$  mill on assessed valuation. **N. D.** 14, 28 F

- 452** Making levy for university *specific in amount* [formerly percentage]. Amending R. S. '98 §300, 406a. **Wis.** 170, 13 Ap
- 453** On unanimous approval of university trustees, proceeds of United States lands shall be invested in United States or Wyoming state bonds or 5% bonds of any Wyoming county, municipality or school district; losses made good from profits. **Wy.** 13, 10 F
- 454** Treasurer and secretary of university shall make joint report as part of trustees' report [formerly reported directly to governor]; printing. Repealing '90-91 ch. 75 §7; '95 ch. 109 §3; '95 ch. 110 §2. **Wy.** 5, 18 F
- 455** **Admission. Scholarships.** Appointment to scholarships in state colleges by senators. Revision of Vt. S. §870. **Vt.** 31, 21 N '98
- Private institutions.** (*See also* Membership corporations, 951)
- 456** **Incorporation. Name.** Submitting constitutional amendment confirming the founding of Leland Stanford university and authorizing exemption from taxation. *Vote November 1900.*  
**Cal.** j. r. 23, 3 Mr
- 457** General law for the incorporation of institutions of learning; no religious test to be required of students. '93 p. 14 *reenacted to correct illegality in passage.*  
**Id.** p. 169, 7 F
- 458** **Trustees. Boards.** Institutions may elect presiding officers for such term as may be desired, special charters to the contrary notwithstanding. **Ill.** p. 376, 12 Ap
- 459** Directors of colleges elected by stockholders may, prior to 1902, prescribe religious or denominational qualifications for membership in board.  
**Ind.** 46, 17 F
- State agricultural and technological colleges**
- 460** Assenting to provisions of acts of congress passed in 1862 and 1887 granting lands for state colleges and establishing agricultural experiment stations. '90-91 p. 16 *reenacted to correct illegality in passage.*  
**Id.** p. 9, 2 F
- 461** Appropriating \$35,000 to college of agriculture, Cornell university, for diffusing agricultural information by schools or university extension methods, for printing bulletins, and for experiment station. **N. Y.** 430, 25 Ap
- 462** Agriculture and mechanical college to receive 9-10 and the Agricultural and normal university, colored, 1-10 of money received from congress by act approved Aug. 30, 1890.  
**Okl.** 3 art. 1, 10 Mr
- 463** Agricultural college lands which have been subject to sale for 25 years to be sold at \$1.25 an acre: regulations.  
**Or.** p. 93, 17 F
- 464** Establishing winter course of study in agricultural college.  
**U.** 75, 16 Mr

**Technical and manual training**

- 465 Governor to appoint commissioner to select lands granted to state by congress for girls industrial school and Tuskegee normal and industrial institute. Ala. p. 222, 17 F
- 466 State industrial school established at Quindaro, as a department of Western university. Kan. 12, 7 Mr
- 467 40 scholarships established at Worcester polytechnic institute. Mass. 157, 16 Mr
- 468 Corporations to establish textile schools may be organized in cities operating 450,000 spindles; city may appropriate \$25,000, to be refunded by state; mayor and school superintendent to be ex officio members. Mass. 299, 25 Ap
- 469 State industrial school and institute of technology established at Aberdeen if site is donated; lands set apart for support. S. D. 76
- 470 Regents of West Virginia colored institute empowered to admit 60 cadets free of charge, to constitute the public guard of the institute. Amending Code '91 ch. 45. W. Va. 20, 21 F
- 471 Special commissioner to investigate manual training and the study of agriculture; report January 1901. Wis. 121, 7 Ap
- 472 State aid to manual training departments not to exceed \$5000 [formerly \$2500] annually; number of schools *not* limited [formerly 10]. Amending R. S. '98 §496c. Wis. 273, 27 Ap

**Professional education**

- 473 State library commission may hold summer school and librarians institutes. Wis. 161, 12 Ap
- 474 **Medical schools.** Injunction may be granted on application of attorney general restraining corporation authorized to confer degrees in medicine, pharmacy or dentistry from fraudulent use of powers. Ill. p. 115, 21 Ap
- 475 Unlawful for any except legally incorporated and reputable colleges requiring attendance of three years of eight months each to issue diploma. Mich. 151, 23 Je
- 476 May confer diplomas in public health on certain persons holding degree of medicine; examination. Pa. 148, 5 My

**Libraries**

- 477 Misdemeanor to detain library book 30 days after notice. Cal. 81, 14 Mr

**State libraries**

- 478 **Government. Trustees.** Library trustees to be appointed by governor [formerly legislature]; librarian to designate chief deputy; controller to deduct double value of missing books from warrant of state employee; librarian may sue for missing books or double cost. Amending P. C. §2292-93, 2298. Cal. 31, 25 F

## SUMMARY OF LEGISLATION, 1899

- 479 State library to purchase *law books* [formerly *judiciary reports*].  
Amending '98 ch. 6 §10. Del. 162, 23 F
- 480 Supreme court to have control and management of state library;  
to appoint librarian [formerly secretary of state was librarian  
ex officio] to disburse funds and make rules. Amending R. S.  
'87 §800-12. '91 p. 197; '93 p. 79 reenacted to correct illegality  
in passage. Id. p. 134, 10 F  
Minor amendment. Id. p. 376, 18 Mr
- 481 Additional annual appropriation of \$800 for state library.  
Mass. 192, 24 Mr
- 482 Annual expenditure for law library \$3500 [formerly \$2000].  
Amending G. L. ch. 28 §7. R. I. 619, 3 Mr
- 483 \$300 to be appropriated annually for second assistant librarian;  
expense of making catalogue, how defrayed; proceeds of sale  
of books to be used in buying books. Vt. 7, 30 N '98
- 484 Librarian's certified copy of foreign statutes and opinions prima  
facie evidence. Amending R. S. '98 §4136. Wis. 351, 4 My
- 485 Public documents. State librarian to distribute all state publica-  
tions, except session laws and court reports, to state and other  
libraries. Ind. 158, 3 Mr
- 486 State librarian to be furnished for distribution 150 copies of state  
publications except supreme and appellate court reports.  
Ind. 210, 6 Mr
- 487 Provincial records and papers to be removed to state library;  
secretary of state to report plan for arranging and indexing.  
N. H. 63, 10 Mr

## Public libraries

- 488 State supervision. Traveling libraries. Governor to appoint  
board of five library commissioners; to give assistance and coun-  
sel to free libraries and to committees about to establish them;  
libraries supported or aided by public money to report annually;  
\$250 for annual expenses. Col. 116, 10 Ap
- 489 Creating state board of four library commissioners appointed by  
governor; term four years; state librarian ex officio member; to  
give advice in the establishing and administering of libraries  
and in cataloguing and selecting books; free libraries to report.  
Mich. 115, 1 Je
- 490 State library commission may hold summer school and librarians  
institutes, accept books and pictures for circulation; additional  
annual appropriation of \$3500. Wis. 161, 12 Ap
- 491 Name of state library commission to be *free* library commission.  
Wis. 53, 24 Mr
- 492 Library commission established; \$3000 for books; \$500 annually  
for expenses; travelling libraries; any five citizens may form  
association. Ind. 103, 24 F

- 493 Traveling libraries commission created; state librarian ex officio chairman; to circulate certain books of state library and also books donated or purchased for the purpose; \$1000 annually for two years for books and expenses; regulations.

Kan. 163, 4 Mr

- 494 Creating library commission; state librarian may lend books to responsible citizen on payment of carriage; traveling libraries sent to libraries and to associations of five persons in towns without libraries on payment of 10c a volume for express.

Me. 22, 23 F

- 495 Library commission created; to consist of president of state university, superintendent of public instruction, secretary of state historical society and two appointed by governor for six years; to circulate traveling libraries, promote formation of new libraries, give advice and instruction and gather statistics.

Minn. 353, 21 Ap

- 496 Establishing library commission of five members appointed by governor for term of five years; state librarian to be secretary; to give advice, have general supervision and establish traveling libraries.

Pa. 142, 5 My

- 497 Public libraries may *send traveling libraries to their own and adjoining counties* and contract to supply books to residents of *school districts*. Amending R. S. '98 §934.

Wis. 139, 8 Ap

- 498 Adjutant general may purchase traveling library textbooks for each infantry regiment; not to exceed \$50 annually for each regiment.

Wis. ch. 200 §40, 18 Ap

- 499 Establishment. Support. Government. City or incorporated town exceeding 5000 may, after vote of taxpayers levy tax of  $\frac{1}{2}$  mill for establishing and maintaining public library or reading room; may receive gifts; five trustees; powers; report.

Ari. 22 11 Mr

- 500 Amending library law ('93, 115) for cities and towns; powers of board increased; in cities of 100,000 after library is established a tax of  $\frac{1}{4}$  to 1 mill must be levied for support.

Col. 152, 10 Ap

- 501 50 voters may require library tax election in any township; mandatory township tax of  $\frac{3}{8}$  mill for donated library worth \$25,000; township library boards.

Ind. 103, 24 F

- 502 School commissioners to appoint librarian and regulate management of public library.

Ind. 200, 4 Mr

- 503 School boards of cities and towns may levy 1 [formerly  $\frac{1}{2}$ ] mill tax for public library. Amending Ann. S. '97 §4525.

Ind. 247, 6 Mr

- 504 City and village councils may set apart real estate or other municipal property for use of library; trustees may improve and let such property, receive and enforce subscriptions and adopt a seal. Amending '79, 106. **Minn.** 48, 9 Mr
- 505 Trustees of public library may fill vacancy in board till next general election. **Minn.** 162, 11 Ap
- 506 Library tax may be voted in cities of 100,000 not to exceed 2-5 [formerly  $\frac{1}{2}$ ] mill; county may contract with city library for its use by residents of county outside of city. Amending R. S. '89 §1779, 1789. **Mo.** 101, 30 My
- 507 Part of tax levied for parks may be used by town or city for public library. Amending '97, 15. When library tax or appropriation has been voted, it stands till increased, diminished or discontinued by vote. Amending C. L. '97 §2402. **N. M.** 31, 9 Mr
- 508 Term of trustees of county libraries *three years* [formerly not limited]. Amending R. S. §686. **Wy.** 46, 17 F
- 509 County law libraries. To receive free copy of records and briefs of cases before supreme court of errors. **Ct.** 79, 27 Ap
- 510 County commissioners to provide room in courthouse for. Amending R. S. ch. 78 §11. **Ma.** 101, 16 Mr
- 511 School libraries. Appropriating \$100 annually to state federation of women's clubs for traveling libraries for schools. **Del.** 220, 16 Mr
- 512 State superintendent of public instruction to purchase and circulate traveling libraries and prescribe rules and regulations; annual appropriation \$750 for purchase of books. Amending R. C. '95 §625. **N. D.** 81, 9 Mr
- 513 School boards to appropriate a certain sum each year for books and periodicals for public library; amount varies from \$5 to \$10 for districts employing one teacher, to \$50 to \$100 for cities of 2500; board of examiners of each county to furnish county superintendent with lists of books and prices; purchases to be made by district boards from list and in the order designated. **Okl.** 30 art. 4, 10 Mr
- 514 Treasurers of towns, *incorporated villages and cities under 10,000* to annually withhold 10c for each person of school age for purchase of school libraries. Amending R. S. '98 §486a. **Wis.** 272, 26 Ap

#### Private associations

- 515 County commissioners may abolish office of township librarian wherever free library worth \$1000 has been established by private gifts in township; property to be turned over to such library; library associations purporting to be legally organized for use of all inhabitants, to which \$1000 in gifts has been subscribed, legalized. **Ind.** 149, 2 Mr

- 516 Proprietary libraries may hold or acquire by gift or bequest property not over \$25,000 [formerly \$5000] exclusive of books and be beneficiaries of trusts. Amending C. L. §8168. Mich. 10, 2 Mr
- 517 Cities and towns may contract with library corporations to furnish books free and may make appropriations for library held in trust for town or city or inhabitants. Vt. 34, 26 N '98
- 518 In cities under 150,000 board of education may be authorized by council to spend library tax in aid of nonsectarian libraries maintained by associations. Amending R. S. '98 §931. Wis. 89, 30 Mr

## Scientific work. Art

(See also Industries, 4233; Expositions, 4333)

- 519 History. Archives. Providing for history commission to report to next legislature on sources and records of state history and condition of battlefields and historic houses in the state, with plan for preservation. Ala. p. 20, 10 D '98
- 520 Publication of province laws to be continued. Mass. 477, 3 Je
- 521 State historical society to hold its collections and property in trust for state; restriction as to mortgage and sale of its property. Mo. p. 222, 4 My
- 522 Governor directed to procure for state certain records of proceedings and debates of constitutional convention. S. D. 65
- 523 Geology. Topography. Authorizing state university to make geologic survey of such portions of state as have natural products of economic importance. Kan. 37, 6 Mr
- 524 Creating commission to make contour topographic survey and map of state in cooperation with United States geologic survey. Me. 99, 16 Mr
- 525 Board of geologic survey may publish reports; not over 1500 copies of first editions; \$4000. Mich. 78, 17 My
- 526 Minor amendment to '91, 417 establishing state geologic survey. N. C. 598, 7 Mr
- 527 Biennial appropriation of \$600 for geologic survey. N. D. 94, 24 F
- 528 Office of territorial geologist created; duties; biennial report. Okl. 16, 13 Mr
- 529 Commission to be appointed to cooperate with United States geologic survey in making state survey; appropriation. Pa. 78, 28 Ap
- 530 Abolishing office of state geologist and mineralogist. Tenn. 217, 6 Ap
- 531 Biology. Office of state biologist created; no salary; to investigate animal resources of state and development of such as have economic value. Or. p. 3, 2 F



- 532 Museums.** Commissioners of inland fisheries and game to add to state museum specimens and pictures of wild animals, birds and fishes native to state. **Me.** 36, 2 Mr
- Art. Memorials.** (*See also* War memorials, 3456)
- 533 Art.** City council may provide for art commission without approval of which no work of art shall become city property. **Ill.** p. 89, 24 Ap
- 534** Authorizing purchase of portraits of all governors under state constitution to 1898; \$12,000. **Mass.** resolve 89, 23 My
- 535** Commission to be appointed to report on condition of Palisades and to suggest means of preserving. **N. J.** p. 170, 21 Mr
- 536** Trustees of state buildings may accept statues, etc. for buildings and grounds. Amending '93 ch. 227 §3. **N. Y.** 512, 4 My
- 537** State institute of art created; governing board of seven appointed by governor; members; art collections; lectures; exhibits. **U.** 29, 9 Mr
- 538 Memorials.** Titles to memorials in commemoration of historical events to be vested in perpetuity in society erecting them. **Ct.** 107, 11 My
- 539** Misdemeanor to deface tablet or monument commemorating historic event. **Mass.** 358, 10 My

## Political regulations

(*See also* State and local government, 2615)

### Civil rights. Citizenship

- 540 Aliens.** Alien, resident or not, may loan money, take mortgage on real estate and acquire land by legal process in collection of debt; shall not hold land so acquired for more than five years. Amending R. S. '94 §3332, 3334. **Ind.** 164, 3 Mr
- 541** Aliens and associations, except railroad corporations, whose members are aliens are not to acquire real estate other than mineral lands; unnaturalized aliens not to be employed. '90-91 p. 108, 118, 233; '97 p. 5 reenacted to correct illegality in passage. **Id.** p. 70, 2 F
- 542** For final certificate of naturalization fee of \$2.50 to be paid [formerly no fee]. Amending P. C. '95 §4613. **Mon.** p. 50, 22 F
- 543** Alien mechanics and laborers not to be employed on state or municipal work. **N. J.** 202, 24 Mr
- 544 Civil rights.** Submitting constitutional amendment permitting negroes to reside in state. *Vote June 1900.* **Or.** p. 143, 18 F

- 545 Unlawful for owner or operator of building, park, etc. which is usually open to public, to discriminate against person or class in price of admission. **N. Y.** 724, 26 My
- 546 Extending civil rights law; penalty \$25 to \$100 [formerly \$100 to \$500] and 30 to 90 days [formerly to one year]; *liable for damages not over \$500.* **Minn.** 41, 6 Mr

### Statistics

- 547 **Bureaus of statistics.** (*See also* Labor statistics, 808, with which the collection of miscellaneous statistics of production, etc. is often grouped) Establishing bureau of immigration, labor and statistics in accordance with state constitution; to collect and publish information concerning resources and labor interests of state; term of commissioner two years. **Id.** p. 394, 2 Mr
- 548 Chief of bureau of statistics to compile social, civil and criminal statistics. **Ind.** 227, 6 Mr
- 549 Commissioner of agriculture and labor to be state statistician. **N. D.** 44, 8 Mr
- 550 Misdemeanor to withhold from assessors statistics of farm products. Amending R. S. '98 §1010. **Wis.** 210, 19 Ap
- 551 **Census.** Relating to taking of census by cities and towns under special charters. Amending '95 p. 52. **Mo.** p. 100, 26 Ap

### Elections

(*See also* for term of office, vacancies, etc. the various officers under State and Local government)

- 552 **Elections generally.** Generally amending registration and election laws (P. C. t. 2). **Cal.** 53, 4 Mr
- 553 General law; filing of nominations; qualifications of voters; election officers; booths; canvass; contests; official ballots; special elections. '90-91 p. 57; '93 p. 35; '95 p. 7, 90, 91; '97 p. 29 *re-enacted to correct illegality in passage.* **Id.** 33, 2 F; 67, 2 F; 66, 2 F
- 554 Regulating elections in cities, villages and incorporated towns voting to adopt act; qualifications for voting, registration, ballots, canvass, officers. **Ill.** p. 153, 24 Ap
- 555 General law for cities of 300,000. Repealing '95 p. 5 (special). **Mo.** p. 179, 19 Je
- 556 General law. **N. C.** 16, 26 Ja; 507, 6 Mr; **Okl.** 13, 10 Mr
- 557 Referring to next assembly constitutional amendment providing for plurality election of state officers. **Ct.** p. 1153, 7 Je
- 558 Amending '97. 213 relating to printing of ballots, manner of voting and counting ballots, and ballot box for women. **Ct.** 207, 20 Je

- 559** Amending C. S. '97 ch. 26 as to certificates of nomination, formation of new parties, printing of ballots and mode of voting.  
Neb. 26, 5 Ap
- 560** County commissioners to furnish sheriff with pollbooks *and all other supplies required for election*, and send notices of election to *registry agents* [formerly sheriff] who shall *post in public places* [formerly publish in county newspapers]. Amending '73, 197.  
Nev. 94, 14 Mr
- 561** Minor amendments to general law ('98, 139).  
N. J. 59, 21 Mr
- 562** Amending '96, 909 as to qualifications and appointment of election officers, payment of election expenses, delivery of election laws by secretary of state to clerks and election officers and forms for registration and challenging.  
N. Y. 630, 23 My

**Suffrage. Voting residence**

- 563** **Women.** Submitting constitutional amendment allowing woman suffrage. *Vote June 1900.*  
Or. p. 143, 18 F; p. 1123, 31 Ja
- 564** **Aliens.** Foreign born male who, *six months* [formerly any time] before election declares intention to become citizen to be deemed qualified voter. Amending R. S. '95 art. 1731.  
Tex. 65, 11 Ap
- 565** **Qualifications.** Must pay poll tax before registering.  
Ari. 37, 14 Mr
- 566** Inmates of Pontiac state reformatory exempted from operation of law disenfranchising persons convicted of certain crimes.  
Ill. p. 141, 21 Ap
- 567** Repealing '97, 6 requiring voters under 60 years of age to show poll tax receipt before registration.  
Nev. 105, 20 Mr
- 568** Amending Code §2941 relating to restoration of pardoned criminals to citizenship.  
N. C. 44, 3 F
- 569** Submitting constitutional amendment fixing qualifications for voting and holding office; to be a resident of the state two years, county six months, precinct four months; to be registered; to be able to read and write section of constitution in English; to have paid poll tax; but no persons entitled to vote Jan. 1, 1867 or their lineal descendants, to be debarred from voting. *Vote August 1900.*  
N. C. 218, 21 F
- 570** Referring to next legislature constitutional amendment requiring legislature to establish educational test for voters and permitting it to prescribe penalties for falling or neglecting to vote. *Not repassed by legislature of 1899.*  
N. D. p. 348, '97
- 571** Referring to next legislature constitutional amendment; every male [formerly every white male] citizen to vote; in addition to regular qualifications laws may be enacted prescribing terms of residence in county and precinct.  
Or. p. 1130, 18 F

- 572 County trustee to furnish to election commissioners lists of persons who have paid poll tax. Amending '91, 222.  
Tenn. 402, 22 Ap
- 573 Voting residence. Voter must have resided in territory *six months* [formerly one year]. Amending '93, 32. Ari. 21, 10 Mr
- 574 Inmates of state soldiers' home who are voters in any part of state may, at the home, vote for county, township, district and state officers and for legislators, congressmen and presidential electors; regulations. Kan. 140, 4 Mr
- 575 Voter moving from one ward to another within six months prior to election may vote in former ward if declaration was filed. Amending P. S. '91 ch. 31 §8. N. H. 52, 8 Mr
- 576 Repealing C. L. '97 §1646 allowing person to vote in precinct wherein he does not reside. N. M. 80, 16 Mr

Nominations. Caucuses

- 577 Primaries—general. Qualifications and registration of voters at primaries governed by general election laws; registers to be furnished; registration office to be open 50 days.  
Cal. 32, 1 Mr
- 578 Regulating primaries and conventions. [Primary law of 1897 was declared unconstitutional in *Spler v. Baker*, 52 P. 659.  
Cal. 46, 3 Mr; 48, 4 Mr; 52, 4 Mr
- 579 Submitting constitutional amendment authorizing legislature to regulate primary elections. *Vote November 1900*.  
Cal. j. r. 35, 18 Mr
- 580 Optional primary election law for counties of less than 125,000 and for cities, towns and villages therein; judges and clerks designated by political party; official ballots; Australian system; expense a public charge; any legal voter may have his name on official ballot for nomination to office. Ill. p. 211, 24 Ap
- 581 Nominees of parties in counties of 200,000 to be chosen by popular vote on Tuesday seven weeks before election; same election officers to act for all parties; general election laws govern where applicable. Minn. 349, 20 Ap
- 582 Primary elections; registration; officers selected by party committee; Australian ballot; expense borne by party. Neb. 27, 4 Ap
- 583 Delegates to conventions to be elected by ballot at caucus; county committees to fix basis of representation, establish boundaries of caucus precincts and post 10 days notice; polls open at least one hour, between 2 and 9 p.m.; misdemeanor to participate in election of more than one set of delegates. N. D. 38, 8 Mr
- 584 Caucus law; each party to elect a state committee; city committee; regulations; applies chiefly to Newport, Providence and Pawtucket. B. I. 662, 18 My; 709, 20 S

- 585** Regulating primaries in counties of 100,000 to 110,000.  
Tenn. 407, 22 Ap
- 586** Providing for primary elections; penalty for fraudulent voting.  
U. 79, 20 Mr
- 587** Revision of R. S. '98 §11a-1 relating to caucuses. Wis. 341, 3 My
- 588** Party caucus in new political division to represent 1% [formerly 2%] of total vote. Amending R. S. '98 §30. Wis. 351, 4 My
- 589** Committees may fix number of persons necessary to caucus; candidate not to be caucus officer; certificates of change on recounting votes to be issued; person receiving highest vote to be nominated. Amending '98, 548. Mass. 329, 4 My
- 590** Minor amendments to '98, 548 as to political committees and caucuses. Mass. 346, 8 My
- 591** Amending primary election law ('98, 179; June primary and December and May enrolments abolished; enrolment by declaration in May and June; primary in presidential year; secret enrolment by blank and sealed envelope at time of registration.  
N. Y. 473, 2 My
- 592** **Conventions.** Convention is assemblage of delegates *elected by ballot at primaries; may name governing committee.* Amending P. C. §1186. Cal. 51, 4 Mr
- 593** Nominating conventions to be called at least 48 hours before hour for filing certificates of nomination. Amending '98 ch. 548 §137  
Mass. 146, 14 Mr
- 594** Conventions for nominating judges of supreme court or court of appeals not to be held at same time and place as conventions for nominating other state officers. Mo. p. 203, 19 My
- 595** **Certificates.** Certificates of nomination to be deemed valid unless objection is made in three days from filing; proceedings when objection is made. Amending R. S. '89 ch. 60 art. 3.  
Mo. p. 200, 18 My
- 596** Amending time of filing and time within which candidate may withdraw. Vt. 2, 21 N '98
- 597** **Independent nominations.** Signers to certificate of nomination to declare they have not aided in nomination of other candidate for same office. Amending R. S. '89 §4673. Mo. p. 199, 25 Mr
- 598** Prescribing form of certificate of notary required for filing. Amending '96 ch. 909 §57. N. Y. 363, 18 Ap
- 599** **Offenses.** Bribery, drunkenness, etc. forbidden at primary elections; sheriff to be present; clerks and officers to take oath.  
Ala. p. 126, 8 F
- 600** Election offenses include violations of laws governing primaries.  
Cal. 120, 20 Mr

- 601 Penalty for selling vote at primary or convention *disfranchisement for 10 to 20 years* and ineligibility to office. Repealing '89 ch. 130 §3-6; '89, 200; '97, 158. Ind. 166, 4 Mr
- 602 Misdemeanors in connection with political caucuses, enrolments, etc. amended (Pen. C. §41). N. Y. 530, 5 My
- 603 **Miscellaneous.** Nomination petitioners may name committee; to be deemed a political party on polling 3% of entire vote. Amending P. C. §1188. Cal. 33, 1 Mr
- 604 Candidate nominated by more than one party may within 72 hours after time for filing papers direct in what order designations are to be added to his name; if he neglects, board shall determine. Mass. 220, 1 Ap
- 605 Primaries in cities of 15,000 to 30,000 to be held from 4 [formerly 2] to 8 p.m. Amending '95 ch. 135 §5. Mich. 22, 21 Mr
- 606 "Central committee" of political party defined; committee to fill vacancies on ticket. Amending R. S. '89 ch. 60 art. 3. Mo. p. 200, 29 My
- 607 Party rolls for primaries to be changed to suit new boundaries of election districts. Amending '98 ch. 179 §2. N. Y. 266, 7 Ap

**Registration**

- 608 Cities may require registration every two years; regulations. Ari. 10, 21 F
- 609 Voters to be registered in cities of 25,000 to 100,000; *to determine population multiply vote at presidential election by five.* Amending R. S. '89 §1790. Mo. p. 102, 13 Ap
- 610 Amending '97 p. 113 §1206 relating to registration. Mon. p. 54, 17 F
- 611 Law governing registration applies to cities and villages of 800 [formerly 1000] or more; lists to be prepared before each general or annual city election. Amending R. C. '95 §607, 621. N. D. 133, 8 Mr
- 612 General law. Or. p. 119, 17 F
- 613 General law; board of registration. S. D. 86, 2 Mr
- 614 **Boards. Officers.** Minor amendment to G. L. '88 §40 relating to registrars of voters. Ct. 17, 21 Mr
- 615 In cities under 4000 municipal officers to exercise powers of boards of registration. Amending '93 ch. 304 §4. Me. 90, 16 Mr
- 616 **Days. Hours.** Amending time of meeting of selectmen and town clerk for registration of electors in certain towns ('97 ch. 98 §1). Ct. 80, 27 Ap
- 617 Minor amendment to '97 ch. 98 §3 relating to sessions of registrars of electors. Ct. 80, 10 My

- 618 Lists. Transfers.** Registrars of towns of less than 10,000 to make lists of persons applying to be made voters; admission.  
Ct. 148, 1 Je
- 619** Record of names of voters to be kept in office of town clerk.  
Ct. 164, 9 Je
- 620** Voting lists prepared alphabetically *or by streets*. Amending '98 ch. 548 §61. Mass. 148, 14 Mr
- 621** Corrections in registry lists to be made on *first* [formerly second] Tuesday before election in cities of 2000 to 12,000. Amending G. S. §60. Minn. 189, 13 Ap
- 622** Registration boards to make three copies of lists of voters. Amending C. L. '97 §1702. N. M. 80, 16 Mr
- 623** Printing of lists of registered persons amended ('97 ch. 379 §8). N. Y. 649, 25 My
- 624** Names not to be removed from check list without 48 hours [formerly reasonable] notice. Amending Vt. S. §72. Vt. 1, 28 N '98

**Election officers**

- 625** Election inspectors, judges and clerks to be *equally* apportioned between *two* parties casting *highest* [formerly 5% of] vote at last election for *governor* [formerly president]. Amending P. C. §1142. Cal. 70, 9 Mr
- 626** Amending G. L. '88 §229 relating to ballot box tenders at elections. Ct. 100, 11 My
- 627** Providing for two sets of election officers in precincts of 100 voters. Id. p. 372, 15 Mr
- 628** Election officer's oath may be taken before *any person qualified to administer oaths*. Amending C. L. §11,458. Mich. 198, 10 My
- 629** Registrar in cities of 25,000 to 100,000 to be *elected* [formerly appointed by county court]; term. Amending R. S. '89 §1793. Mo. p. 103, 17 My
- 630** In cities of 500 to 3000 and certain others, judges of election in city elections may perform duties of clerks of election. Amending '95 p. 65 §3. Mo. 92, 1 My
- 631** Inspector and clerk of election allowed \$5 a day, *in no case to exceed \$20 for all services*. Amending '89, 32. Nev. 82, 14 Mr
- 632** Amending compensation of boards of registry and election ('98 ch. 139 §178). N. J. 3, 27 F
- 633** Abolishing fees of clerks of county commissioners for preparing pollbooks. Repealing C. L. '97 §1664. N. M. 80, 16 Mr
- 634** Amending regulations of board of elections in cities; act not to apply to Mansfield and villages which may hereafter become cities. O. p. 166 §1, '96. *Unconstitutional*. Not of uniform operation throughout the state. State v. Buckley, 54 N. E. 272.

- 635 Terms of commissioners of election and commissioners of registration shall correspond. Tenn. 378, 20 Ap

Districts. Notices. Days

- 636 Districts. Supervisor of townships casting under 400 votes may consolidate election districts. Minn. 269, 18 Ap
- 637 Order dividing districts to specify who shall act as election officers. Amending R. S. '98 §16. Wis. 351, 4 My
- 638 Notices. Governor shall include in election proclamation constitutional amendments and other propositions submitted to vote; copies of propositions to be mailed to registered voters 20 days before election; no other publication required. Amending P. C. §1195. Cal. 24, 28, 23 F
- 639 Proclamation to be issued 25 [formerly 15] days before an election. Cal. 101, 20 Mr
- 640 County clerk to publish election notices *once each week till elections*. Amending R. S. '98 §21. Wis. 96, 30 Mr
- 641 Days. Hours. Polls in other than courthouse precincts in incorporated towns and cities to be open from 7 a. m. to 6 p. m. [formerly 8 a. m. to 3 p. m.] Ga. 93, 14 D '98
- 642 Changing time of opening and closing polls (Ann. S. '97 §4697). Ind. 236, 6 Mr
- 643 Polls for election of judges, when no other officers are voted for, shall open and close *at same time as at general election in same locality* [formerly 9 to 5 o'clock]. Amending R. S. '98 §94t. Wis. 47, 23 Mr
- 644 Cities of less than 5000 may by resolution keep polls open from 6 a. m. to 7 p. m. Amending R. S. '98 §49. Wis. 72, 30 Mr

Ballots. Voting

- 645 General. Reform. Polls open at 6 a. m. [formerly sunrise]; electors in booth when polls close can vote; ballot to contain blank column; information cards to be furnished voter. Cal. 101, 20 Mr
- 646 Minor amendments to '91, 40 relating to secrecy of elections. Nev. 83, 14 Mr
- 647 Separate ballots and ballot boxes for constitutional amendments. S. D. 80, 9 F
- 648 Australian ballot required in towns having incorporated city or village which operates jointly with towns in town elections. Wis. 339, 3 My
- 649 Polls. Boxes. Markers to be erected 75 feet from place of voting; notice on markers. Ct. 92, 10 Mr
- 650 Each election district to contain *one* [formerly two] polling place. Amending '95 ch. 7 §26, 61-62. Fla. 38, 27 My



- 651 Polling places to be opened at soldiers' and sailors' homes.  
Amending '95 p. 171. Ill. p. 209, 24 Ap
- 652 Townships may purchase real estate in incorporated villages for  
voting places. Amending '97, 239. Minn. 59, 16 Mr
- 653 **Furnishing. Distributing.** Ballots and instructions to be printed  
and distributed under direction of county court. Amending  
R. S. '89 ch. 60 art. 3. Mo. p. 201, 18 My
- 654 If no newspaper *or printing office* in county, ballots may be printed  
at any newspaper *or printing office* in state. Amending '93, 96.  
Nev. 75, 14 Mr
- 655 Number of ballots for justice of peace to be furnished each polling  
place. Amending Vt. S. §106. Vt. 3, 22 N '98
- 656 **Form. Amendments.** Regulations concerning form of ballot for  
constitutional amendments and other public measures. Amend-  
ing '91 p. 108. Ill. p. 151, 24 Ap
- 657 Designating what shall be printed on official ballots. Repealing  
'97 ch. 129 §14. Kan. 17, 7 Ja
- 658 Color of ballots for justice of peace. Amending Vt. S. §97.  
Vt. 4, 4 N '98
- 659 **Marking. Casting. Assistance.** Amending manner of marking  
ballots. Col. 94, 3 My
- 660 Minor amendments to '91 p. 107; '97 p. 213 relative to posting and  
publishing of specimen ballots and voting of challenged persons.  
Ill. p. 149, 22 Ap
- 661 Elector desiring poll clerk to mark ballot must make affidavit of  
physical disability or inability to read. Amending Ann. S. '97  
4706z. Ind. 237, 6 Mr
- 662 If challenged voter swears there is no person of his political party  
who has been resident freeholder of precinct for one year, or  
resident for two years, affidavit of any qualified voter shall be  
accepted. Amending '89 ch. 87 §40. Ind. 43, 17 F
- 663 Amending manner of marking ballots (Ann. S. '99 §2062).  
S. D. 81, 23 F
- 664 Voter may mark ballot *anywhere in square containing* [formerly  
opposite] candidate's name; *columns to be separated by 1-8 inch  
black line; names in column by 1-16 inch line.* Amending R. S. '98  
ch. 5. Wis. 349, 4 My
- 665 Minor amendment to R. S. §37 as to instructions to voters.  
Wis. 351, 4 My
- 666 **Voting machines.** Authorized at all elections; county commis-  
sioners, councils and trustees may adopt. Ind. 155, 2 Mr
- 667 Counties, towns, cities and villages may use. Minn. 315, 20 Ap
- 668 Authorizing use of; ballots; judges; instruction in use of machine.  
Neb. 28, 1 Ap

- 669 Revision of laws relating to voting machines; state commissioners to examine; cities, towns and villages may adopt approved machines; payment for machines; form of ballots; manner of voting; canvass of vote. **N. Y. 466, 28 Ap**
- 670 Only such election expenses shall be charged to city, village or town using machines as are caused by the use of machine. Amending '97 ch. 379 §18. **N. Y. 467, 28 Ap**
- 671 **Miscellaneous. Offenses.** Injuring voting booth forbidden. **Ct. 129, 31 My**
- 672 Saloons to be closed during general elections; electioneering not to be carried on within 100 feet of voting place; regulations for protection of booths and fittings. '90-91 p. 50 reenacted to correct *illegality in passage*. **Id. p. 27, 2 F**
- 673 Vote of electors in military service of United States to be taken outside the state; method. **Nev. 94, 14 Mr**
- 674 Defacing or misusing voting machine a misdemeanor. Amending Pen. C. §41k. **N. Y. 265, 7 Ap**
- 675 Governor may appoint an extraordinary term of the supreme court to sit in county in which law relating to crimes against elective franchise is not properly enforced. Amending '92 ch. 683 art. 5. **N. Y. 302, 12 Ap**
- 676 **Corrupt practices.** Felony to offer property to legislative candidate, before or after his election, for vote for United States senator, or to accept same. **Cal. 68, 9 Mr**
- 677 General corrupt practices law; candidates and political committees to file statements of expenditures; candidates expenses limited, \$100 to \$650; contributions to defray expense of naturalization prohibited. **Neb. 29, 4 Ap**
- 678 Repealing '95, 103 regarding corrupt practices. **Nev. 108, 21 Mr**

**Canvass. Contests**

- 679 **Count. Canvass. General.** Canvass by county supervisors to continue daily till done, six hours a day. Amending P. C. §1281. **Cal. 56, 4 Mr**
- 680 Manner of counting ballots. **Id. p. 372, 15 Mr**
- 681 Ballots to be counted *in view of voters* [formerly within 3 feet of rail]. Amending '98 ch. 548 §124. **Mass. 190, 24 Mr**
- 682 In towns and *after 2 p. m.* in cities under 100,000 ballots may be counted when election officers so order. Amending '98 ch. 548 §234. **Mass. 200, 29 Mr**
- 683 County supervisors ineligible to membership on board of canvassers; votes for *all* candidates for *all* offices and on *all* questions voted on shall be canvassed. Amending '97, 125. **Mich. 224, 7 Je**

- 684 Amending duties of county commissioners as to canvassing returns and forwarding abstracts to secretary of territory (C. L. '97 §1653). N. M. 80, 16 Mr
- 685 Manner of counting ballots cast by soldiers absent from state and time of canvass amended ('98, 674). N. Y. 641, 25 My; 58, 8 Mr
- 686 County clerk to deliver certificates of election personally; certificate to state amount of bond required. Amending R. S. '98 §85. Wis. 3, 28 F
- 687 Returns. Election judges to sign and post result outside polling place; misdemeanor to deface. Amending P. C. §1261. Cal. 67, 9 Mr
- 688 Minor amendments to '71-72 p. 380 regulating making of abstracts of votes and the canvassing of votes by state officers. Ill. p. 208, 24 Ap
- 689 Verbal amendment to C. L. '97 §1654 relating to certifying number of votes cast in districts of two or more counties. N. M. 80, 16 Mr
- 690 Abstract of votes for member of congress and state officers to be made on same sheet. Amending R. C. '95 §527. N. D. 87, 9 Mr
- 691 Election law amended as to computing returns in cases where two or more counties or parts of counties are connected for election of any officer. C. L. '95 §13. Pa. 103, 28 Ap
- 692 Officers. Boards. Abolishing fees for returning votes to secretary of state. Amending P. S. ch. 199 §12. Mass. 218, 30 Mr
- 693 Contests. General. Contestant must send to governor within 20 days copy of notice served on contestee; commission issued on filing certificate of failure to prosecute. Amending Code '95 §107. Ga. p. 44, 20 D '98
- 694 Judge disqualified or refusing to hear election contest shall certify same and transmit papers to adjoining district. Amending Code '95 §107. Ga. p. 45, 20 D '98
- 695 Regulating trial of. Amending '74, 136. Pa. 85, 28 Ap
- 696 Amending compensation of witnesses and payment of costs ('74 ch. 136 §9. Pa. 96, 28 Ap
- 697 Amending '74. ch. 1 §10 as to counting votes made on affidavits. Pa. 150, 6 My
- 698 Regulating recount of ballots in contest for state office; procedure. S. D. 82, 7 Mr
- 699 Official ballots to be preserved till expiration of time within which contest may be begun. S. D. 83, 4 Mr
- 700 Contest. Special officers. Manner of contesting election for judge of circuit court; appeal. Mo. p. 202, 31 Mr

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- 701 *Circuit court* [formerly the supreme court] to hear contests of elections of judges of supreme court, circuit court, superior court, of clerks of supreme court and members of state board of equalization. Amending R. S. '97 ch. 46 §96; '71 p. 380.

Ill. p. 152, 22 Ap

- 702 Tie vote for officers, except councilmen, in cities of 2000 to 15,000 to be decided by lot by council. Kan. 7, 6 Ja

- 703 Commission to take depositions in contested election for senator or assemblyman shall be issued to *one* [formerly two] justice of the peace. Amending G. S. §1575. Nev. 96, 16 Mr

### Special classes of elections

- 704 **National.** Committee of five legislators to confer with legislatures of other states with view to submitting an amendment to constitution allowing direct vote of the people for president, vice-president and senators. Pa. c. r. 17, 6 Ap

- 705 Candidates for United States senator may be nominated in same manner as state officers and voted for by people; result to be transmitted to legislature. Nev. 71, 14 Mr

- 706 **Local and municipal.** (*See also* School elections, 151; Town meetings, 2822) Regulating municipal elections held separately from general elections. Cal. 54, 4 Mr

- 707 At close of town election ballots are to be counted *and destroyed* [formerly preserved as in general election]. Amending '90 ch. 569 §37-38. N. Y. 168, 30 Mr

- 708 General law for city and town elections. N. C. 514, 6 Mr

## Law making

- 709 **Constitutional amendments.** Submitting constitutional amendment: assembly not to propose amendments to more than *six* [formerly one] articles of constitution at one session; publication amended. *Vote November 1900.* Col. 82, 16 F

- 710 Constitutional amendments may be proposed by joint resolution; when adopted by vote of people, amendments to be enrolled and preserved by secretary of state. '90-91 p. 229 *reenacted to correct illegality in passage.* Id. p. 162, 7 F

- 711 Secretary of state to send to county clerks a correct statement of constitutional amendments and other propositions to be voted on; clerks to publish same. Ill. p. 216, 22 Ap

- 712 Election judges to post instructions to voters as to proposed constitutional amendments; secretary of state to designate to county clerk by number and title proposed amendments. Amending R. S. '98 §835, 838. U. 80, 20 Mr

- 713 **Direct legislation.** Submitting to next legislature constitutional amendment providing for initiative and referendum in state legislation on petition of 8% and 5% of voters respectively; referendum also may be ordered by legislature. Or. p. 1129, 6 F
- 714 Providing the manner of carrying into effect initiative and referendum as applied to state legislation; petition; form of ballot. S. D. 93, 3 Mr

**Legislature—members, officers**

- 715 **Term. Sessions. Apportionment.** Senators from *even* [formerly odd] numbered districts to be elected in 1898 and every fourth year thereafter; senators from *odd* [formerly even] numbered districts in 1900. Amending Code '96 §1575. Ala. p. 34, 23 F
- 716 Referring to next general assembly constitutional amendment increasing number of senators and senatorial districts to not less than 24 nor more than 36 [now 18 to 24]. Ct. p. 1153, 7 Je
- 717 Submitting constitutional amendment allowing newly created county one representative *in excess of limit fixed to membership of house. Vote November 1900.* Fla. j. r. 1
- 718 Term of members amended. Id. p. 67, 2 F
- 719 Amending apportionment of members. '95 p. 52 *reenacted to correct illegality in passage.* Id. p. 132, 10 F
- 720 Reapportionment of state senators and representatives. Amending '91, 18. Nev. 99, 16 Mr
- 721 Fixing number of representatives from each town and ward. N. H. 105, 11 Mr
- 722 Referring constitutional amendment to next legislature; *biennial* [formerly annual] sessions; salary \$1000 [formerly \$1500]; terms of senators *four* [formerly two] years, members of assembly *two* [formerly one] years. *Not repassed by legislature of 1899.* N. Y. p. 1549, 3 Mr '98
- 723 Redistricting state into senatorial and representative districts. Repealing Ann. L. '87 §2186-92. Or. p. 6, 7 F
- 724 Amending apportionment of representatives. G. L. ch. 19 §3. R. I. 618, 3 Mr
- 725 **Qualifications. Privileges.** Members of legislature may administer oaths and take acknowledgments. Minn. 55, 11 Mr
- 726 **Pay. Mileage.** Amending '97, 182 relating to transportation for members of assembly. Ct. 12, 17 Mr
- 727 **Officers. Employees.** Number and compensation of pages to senate and house amended. Code '96 §2236. Ala. p. 37, 30 N '98
- 728 Increasing number of employees of senate and assembly and fixing salaries. Amending P. C. §245-46, 268. Cal. 2, 30 Ja

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- 729 Amending officers and employees of assembly and their salaries ('91 p. 234). Cal. 99, 18 Mr; 112, 24 Mr
- 730 Salaries of officers of assembly fixed. Ct. 195, 16 Je
- 731 Amending salaries of certain officers of general assembly ('98, 49). Del. 199, 13 Mr
- 732 Providing *two* [formerly one] enrolling clerks for assembly. Amending '98 ch. 49 §2. Del. 200, 26 Ja
- 733 Fixing number, duties and compensation of officers and employees of senate and house. '90-91 p. 5 reenacted to correct illegality in passage. Id. p. 3, 2 F
- 734 Badges provided for doorkeepers of house and senate. Ind. 231, 6 Mr
- 735 Clerks of senate and house may each appoint assistant clerk subject to approval of senate, and house. Mass. 100, 24 F
- 736 Office of enrolling clerk to assembly created. Repealing '97, 52. N. C. 6, 7 Ja
- 737 Compensation of chaplain of each house \$3 [formerly \$2] a day. N. D. 39, 7 F
- 738 Compensation of sergeant-at-arms of house of representatives \$5 [formerly \$4] a day; of chaplain \$3 [formerly \$2] a day; assistant enrolling and engrossing clerks shall be *elected by house* [formerly appointed by speaker]; provision limiting number of such clerks stricken out. Amending R. C. '95 §28. N. D. 104, 8 Mr
- 739 Fixing number, compensation and duties of officers of house and senate. Or. p. 235, 23 F
- 740 Salary of assistant clerks of house of representatives \$250 [formerly \$200]. Vt. 131, 1 D '98
- 741 Journal clerk provided for each house; salary \$5 a day. Wy. 1, 14 Ja

Legislative procedure

- 742 Bills. All bills favorably reported to be codified by judiciary committee. Cal. 129, 22 Mr
- 743 Submitting constitutional amendment prohibiting creation of corporations by special acts, except university or ship canal. *Vote November 1900.* Fla. j. r. 2
- 744 Bills and resolutions to be printed before going to governor for approval; office of supervisor of bills created; offices of engrossing and assistant engrossing clerk abolished. N. J. 217, 24 Mr
- 745 Notice of petition to legislature for incorporation of village or amendment of city or village charter to be published three weeks previous to session. Amending '96, 6. Vt. 6, 26 N '98
- 746 Committees. Testimony. Standing committees of each house to be appointed by presiding officer, unless otherwise ordered. Cal. 129, 22 Mr

- 747 Committee of general assembly to which petition for divorce has been referred may give notice of hearing to attorney general.  
Ot. 20, 21 Mr
- 748 Heads of departments not to employ counsel or witnesses before legislative committees at state expense without consent of legislature.  
Me. 114, 17 Mr
- 749 Committees of assembly allowed clerks; each committee member allowed \$10 a day for sessions during recess.  
R. I. 703, 1 Je
- 750 **Miscellaneous procedure.** Officers of each house elected by *roll call* [formerly *viva voce*]. Amending R. C. '95 §29.  
N. D. 104, 8 Mr
- 751 In legislative caucus to nominate candidate for United States senator, vote shall be *viva voce*.  
Wis. 131, 8 Ap
- 752 Defining and regulating lobbying; registration of lobbyists; person or corporation employing to render statement of expenses.  
Wis. 243, 22 Ap
- Laws. Codes**
- 753 **Construction of laws.** In amending general statutes '94, sufficient to refer to section numbers.  
Minn. 11, 9 F
- 754 **Revision. Codification.** New codes, revisions or supplements have been issued in 1899 for **Indian Territory** (unofficial), **Maryland, Michigan and South Dakota.**
- 755 **Compilation of laws provided for.**  
Ari. 49, 16 Mr; Id. p. 342, 2 Mr; Mo. p. 292, 22 My; Nev. 5, 15 F; N. D. 123, 21 F; W. Va. j. r. 17, 13 F; Wy. 52, 18 F
- 756 Adopting Revised statutes of 1898.  
U. 7, 2 Mr
- 757 Ballinger's Annotated codes and statutes, 1898, to be of equal authority with other official compilations and session laws.  
Wash. 67, 13 Mr
- 758 Changing words "territory" and "territorial" in revised statutes to "state"; "controller" of territory changed to "auditor."  
'90-91 p. 20 reenacted to correct illegality in passage.  
Id. p. 12, 2 F
- 759 **Uniform laws.** Repealing '95 p. 216 creating commissioners for promoting uniformity of legislation in United States.  
Mo. p. 298, 31 My
- 760 **Publication of laws.** (*See also* Public documents and printing, 769)  
Minor amendment to Code '96 §1964-85 relating to distribution of acts and resolutions.  
Ala. p. 35, 23 F
- 761 Chapters of acts of general assembly to be designated by arabic numerals.  
Ct. 6 Ap
- 762 Pay to newspaper publishing laws and distributing to subscribers *in state*. Amending R. S. ch. 2 §44.  
Me. 41, 7 Mr

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- 763 Publication of province laws to be continued. **Mass.** 477, 3 Je  
764 2000 [formerly 1500] copies of session laws to be printed. Amend-  
ing R. C. '95 §60. **N. D.** 124, 8 Mr  
765 Changes in statutes quoted for amendment to be indicated in  
pamphlet laws by different type. **Pa.** 28, 6 Ap  
766 County courts may buy Shannon's code '96 for justices and county  
officers. **Tenn.** 186, 5 Ap  
767 Newspapers to receive \$1.50 [formerly 50c] a 100 for distributing  
to subscribers supplements containing session laws.  
**Vt.** 189, 26 N '98  
768 Designating additional officials to receive copies of session laws.  
Amending R. S. '98 §355. **Wis.** 351, 4 My

**Public documents and printing**

(See also Supreme court reports, 1939; Legal notices, 2359)

- 769 General laws. Amending R. S. '97 ch. 127 regulating number of  
public documents to be printed; size; cost; contents; binding.  
**Ill.** p. 357, 21 Ap  
770 Revision of acts relating to state printer and printing (G. S. '97  
ch. 8). **Kan.** 35, 7 Ja  
771 General act regulating preparation and distribution of public  
documents. **Mich.** 44, 18 Ap  
772 Creating custodian of documents and supplies; appointed by secre-  
tary of state; salary \$1200. **Minn.** 137, 7 Ap  
773 Repealing '97, 464 putting public printing into hands of council of  
state. **N. C.** 2, 16 Ja  
774 Bureau of labor and printing created; commissioner of bureau to  
be elected from state at large for term of four years; to collect  
labor and industrial statistics and to oversee state printing;  
report. **N. C.** 373, 3 Mr; 539, 6 Mr; 622, 8 Mr  
775 Regulating publication and distribution of documents.  
**Pa.** 117, 2 My  
776 Printing and distribution of journals and documents.  
**S. D.** 121, 4 Mr  
777 Numerous amendments to Vt. S. ch. 234 regulating public printing  
and distribution of public documents. **Vt.** 138, 1 D '98  
778 General act relating to state printing. **Wash.** 118, 13 Mr  
779 Contracts. Regulations. Amending classification of public  
printing, time of advertising for bids, and time for completion  
of work (Code '96 3386-87, 3389, 3403, 3406, 3410).  
**Ala.** p. 40, 23 F  
780 State printing to be done within state; county printing within  
county; exceptions. '93 p. 71 reenacted to correct illegality in  
passage. **Id.** p. 183, 9 F



- 781 Documentary journal to be bound in volumes of 1000 pages; contents on back; house and senate journals to be labeled "Indiana"; 1000 volumes of each. Ind. 146, 3 Mr
- 782 2000 [formerly 1750] copies of report of commissioners of prisons to be printed. Amending '94 ch. 398 §7. Mass. 309, 27 Ap
- 783 Constitutional amendment requiring legislature to provide state printing and binding establishment at Lansing. *Rejected by the people April 1899.* Mich. J. R. 4
- 784 3000 [formerly 5000] copies of report of state horticultural society. Minn. 215, 14 Ap
- 785 Reports of state officers to be printed not oftener than once in two years except by order of state board of examiners; number of copies to be determined by this board. Amending P. C. '95 §311; repealing §312. Mon. p. 94, 7 Mr
- 786 Compensation of public printer amended (P. S. '91 ch. 6 §2). N. H. 38, 7 Mr
- 787 Bills, documents etc. of assembly to be printed in Spanish. N. M. 2, 24 Ja
- 788 Fixing maximum rates at which joint committee may let contract for public printing; number of documents; paper; contract. N. C. 250, 24 F; 724, 8 Mr
- 789 All public printing to be done in the state, by house established at least four months. Amending R. C. '95 §1807. N. D. 125, 9 Mr
- 790 State officers to let public printing of their departments to lowest bidder; advertise in four cities; fixing number of copies to be printed. Tenn. 392, 21 Ap
- 791 Expense of printing report of director of experiment station. Amending Vt. S. §264. Vt. 9, 19 N '98
- 792 In appeals to court of appeals printed matter on page of record shall be 7 by 4 inches, containing 1500 ems long primer; single leaded; charge for printing shall be 50c a 1000 ems [formerly 22c a 100 words]; rules for measuring printing; fee for comparing with original 10c a 1000 ems [formerly 1c for 30 words]. Amending C. '91 ch. 135. W. Va. 14, 21 F
- 793 Commissioners of public printing to advertise for paper in newspapers of state [formerly in Madison, Milwaukee and Chicago]. Amending R. S. '98 §305. Wis. 351, 4 My
- 794 Minor corrections in R. S. '98 §317 as to printed copies of legislative journals. Wis. 351, 4 My
- 795 Slightly amending R. S. '98 §1407 as to binding reports of state board of health. Wis. 351, 4 My
- 796 Expense of publishing reports of state officers not to be charged to state unless paid from contingent funds allowed. Wy. 64, 20 F

- 797 **Distribution.** (*See also* Libraries, 477) Regulating printing and distribution of journals of assembly. Col. 109, 30 Mr
- 798 Distribution of printed reports by controller amended ('95, 53; G. S. '88 §332). Ct. 10, 17 Mr
- 799 Minor amendment to G. L. '88 §334 relating to distribution by controller of printed judicial decisions. Ct. 78, 27 Ap
- 800 State librarian to distribute state publications, except session laws and court reports, to state and other libraries. Ind. 158, 3 Mr
- 801 State librarian to be furnished for distribution 150 copies of every state publication except supreme and appellate court reports. Ind. 210, 6 Mr
- 802 State publications to be furnished to county commissioners of schools. Mich. c. r. 10, 28 Ap
- 803 Distribution of court reports and session laws amended (R. S. '89 §3298, 3311-12, 3316). Mo. p. 150, 15 My; p. 150, 17 My
- 804 Copies of reports of cases before court of appeals and supreme court to be given to each county judge. Amending C. C. P. §213, 250. N. Y. 278, 7 Ap
- 805 Regulating sale of reports of supreme court and sessions laws. Or. p. 233, 22 F
- 806 **Manuals.** Blue books. 12,000 [formerly 8500] copies of blue book to be printed; 20 [formerly 13] copies to each member of general court. Mass. 336, 4 My
- 807 One copy of legislative manual to each *school district*. Amending '97, 64. Minn. 106, 30 Mr

## Labor

(*See also* Exemptions, 1580; Mechanics' liens, 1629; Railroads, 3856; Street railways, 3992; Mines, 4355)

### Statistics. Bureaus

- 808 Establishing bureau of immigration, labor and statistics in accordance with state constitution; to collect and publish information concerning resources and labor interests of state; term of commissioner two years. Id. p. 394, 2 Mr
- 809 Creating a state society of labor the secretary of which shall succeed to powers and duties of state commissioner of bureau of labor and state factory inspector; his duties, powers, reports. Kan. 34, 6 Ja
- 810 Revision of R. S. '89 ch. 152 relating to bureau of labor statistics; factory inspection. Mo. p. 371, 31 My

- 811 Bureau of labor and printing created; commissioner of bureau to be elected from state at large for four year term; to collect labor and industrial statistics and to oversee state printing; report.  
N. C. 373, 3 Mr; 539, 6 Mr; 622, 8 Mr
- 812 Duties of commissioner of agriculture and labor; biennial reports of labor statistics; to be state statistician; have charge of state exhibits at expositions in United States. [New duties same as those repealed by '97, 52.] N. D. 44, 8 Mr
- 813 Salary of commissioner of bureau of labor statistics to be \$2500 [formerly \$3000]. Amending G. L. '88 §3706; repealing '89, 197.  
Ct. 197, 15 Je
- 814 Commissioner of labor to investigate Sunday labor.  
Minn. 148, 11 Ap
- 815 Owners or operators of mills etc. to make certain reports to bureau of statistics of labor. Amending '78, 105. N. J. 124, 23 Mr
- 816 Commissioner of agriculture and labor allowed \$1500 a year for clerk hire. N. D. 45, 8 Mr

### Employer and employee

#### Contracts. General relations

- 817 Employment bureaus. Free employment agencies established in cities of 50,000; officers appointed by governor; to report to state bureau of labor statistics; private agencies to pay license of \$200 a year. Ill. p. 268, 11 Ap
- 818 Commissioner of labor statistics to establish free public employment bureaus in cities of 100,000; regulations.  
Mo. p. 272, 23 My
- 819 Intelligence office not to retain money over \$1 unless employment is found. Amending '95 ch. 156 §6. Me. 3, 9 F
- 820 Agencies to keep copies of terms of hire; person failing to find employment may sue on bond and recover damages and costs. Amending '95, 74. Minn. 42, 6 Mr
- 821 Employment and intelligence offices to obtain license and give \$1000 bond; employees must be given copy of terms of hire; does not apply to agencies conducted by women for employment of women only. Wis. 213, 19 Ap
- 822 Contracts. Illegal conditions. Employer not to bind employee to refrain from joining labor organization. Ct. 170, 9 Je
- 823 Unlawful for employers to have employees contract not to join labor organizations. '93 p. 152 reenacted to correct illegality in passage. Id. p. 221, 10 F
- 824 Misdemeanor to make nonmembership in labor union a condition of employment. Wis. 332, 3 My

- 825 **Discharge. Black-listing.** Black-listing punishable by \$100 to \$1000 fine or 90 days to one year in jail or both. *Wash.* 23, 3 Mr
- 826 Employer requiring notice of intent to quit work under penalty of forfeiture of wages shall be liable to equal forfeiture for discharging without notice; misdemeanor to threaten employee or offer higher wages to influence vote. *Wis.* 330, 3 My
- 827 **Miscellaneous.** Penalty for use of deception or unlawful force in employing workmen, and for guarding with deadly weapons certain workmen or property without written permit from governor. *Ill.* p. 139, 24 Ap
- 828 Defining and punishing forgery of receipts of dues to railway employees' associations and of letters of recommendation from employers. *Wis.* 224, 20 Ap

**Wages**

- 829 Milling and manufacturing companies not to discount advance payments of wages over 10% a year; laborer to be paid in currency unless electing to take draft or check. *Ark.* 172, 8 My
- 830 Unskilled labor employed on public works of state, counties, cities and towns to receive not less than 15c an hour. *Ind.* 228, 6 Mr
- 831 Wages shall be paid weekly to within six days of pay day; interstate common carriers excepted; labor commissioners may exempt; chief inspector of department of inspection may prosecute; 50% penalty to school fund; fines unlawful; 24 hours written notice of change in wages required; assignment of future wages prohibited; agreement to relieve from weekly payment invalid. *Ind.* 124, 28 F
- 832 **Money payment. Truck system.** Unlawful for employers to use truck system; violation by corporation causes forfeiture of charter. *Col.* 155, 31 Mr
- 833 Compelling payment in lawful money of United States of time-checks, due-bills etc. issued for wages. *Kan.* 152, 28 F
- 834 Wages must be paid in lawful money of United States at least every two weeks. *N. J.* 38, 16 Mr
- 835 Employers shall redeem pay orders in money on regular pay days or on demand in 30 days from issue; action for redemption. *Tenn.* 11, 23 Mr
- 836 **Time of payment.** Corporations to pay wages weekly or monthly; failure to do so gives laborers a lien on property of corporation. *Cal.* 146, '91. *Unconstitutional.* Special legislation in that it gives liens for the wages of only such laborers as may be employed by week or month. *Slocum v. Bear Valley Irrigation co.* 122 *Cal.* 555.

- 837 Law relative to weekly payment of wages applies to all engaged in *building trades, public works, construction of railroads, street railways, roads, bridges, sewers, gas, water or electric light works, pipes or lines*. Amending '95 ch. 498 §1. **Mass.** 247, 10 Ap
- 838 Wages earned by discharged laborer are immediately due and payable. **S. C.** 52, 6 Mr
- 839 Time-checks must be payable at specific place. **Wis.** 221, 20 Ap

### Protection. Factory laws

- 840 **Inspection. Health and safety.** (*See also* Fire protection, 4207) General factory inspection law; hours of women and children; safety of employees; accidents; sweat shops; department of inspection created. **Ind.** 142, 2 Mr
- 841 Creating shop and factory inspector; semiannual inspection in counties over 30,000; factories to pay \$5 fee for inspection. **Tenn.** 401, 22 Ap
- 842 *Factory inspector* [formerly commissioner of police] to inspect scaffoldings etc.; to inspect certain boilers in factories; 50 [formerly 36] deputy inspectors may be appointed. Amending '97, 415. **N. Y.** 192, 1 Ap
- 843 Commissioner of labor may appoint ~~six~~ [formerly one] assistant factory inspectors; salaries \$1000. **Wis.** 152, 11 Ap
- 844 **Hours.** (*See also* Holidays, 4287) Eight hours a day's work on all public work. **Cal.** 114, 20 Mr
- 845 Eight hours a day's work on all public work. '90-91 p. 169 re-enacted to correct illegality in passage. **Id.** p. 113, 6 F
- 846 Eight hours a day's work for city and town employees. **Mass.** 344, 6 My
- 847 Each contract to which state or municipal corporation is party and which may involve employment of mechanics or laborers, to stipulate that eight hours is to be a day's work; penalty. Amending '97 ch. 415 §3, 4. **N. Y.** 567, 12 My
- 848 Eight hours a day's labor on all public work; hours may be extended in emergencies, at 50% increase in pay for extra time. **Wash.** 101, 13 Mr
- 849 Eight hours a day's labor for state employees; unlawful for officials or contractors on public works to require or permit longer hours; penalty. **W. Va.** 17, 21 F
- 850 **Women and children.** Limiting hours of employment of females in manufacturing establishments, hotels etc.; not more than 10 hours a day nor 60 hours a week; seats to be provided. **Neb.** 107, 31 Mr

- 851 *No minor under 18 and no female* [formerly no female under 21 nor male under 18] to be employed in factory before 6 a. m. or after 9 p. m. Amending '97 ch. 415 §77. **N. Y.** 192, 1 Ap
- 852 No female and no male under 18 years to be employed in factory in operating emery wheel for polishing or buffing. Amending '97 ch. 415 art. 6. **N. Y.** 375, 19 Ap
- 853 Factory inspectors to enforce act providing 10 hour day in manufactories for women and for children under 16. **R. I.** 708, 20 S
- 854 Seats to be provided for female employees. **S. C.** 71, 6 Mr; **Wis.** 77, 30 Mr
- 855 Factory inspector may enter *mercantile establishments* to examine provisions for *suitable seats for women*. Amending R. S. '98 §1021f. **Wis.** 158, 12 Ap
- 856 **Children.** (*See also* Cruelty to children, 104; Compulsory education, 363) Children under 14 not to be employed at labor during school hours; penalty. Repealing G. L. '88 §2105. **Ct.** 41, 5 Ap
- 857 Children not to be employed in manufactories between 6 p. m. and 7 a. m.; parent must swear child can read and write; \$15,000 [formerly \$12,000] for inspection. Amending C. L. §5343, 536. **Mich.** 77, 17 My
- 858 Children under 10 not to be employed in manufacturing or mercantile establishments; children under 14 not to be employed except during school vacations; exceptions; in each establishment must be kept for inspection a record of age and residence of each employee under 16 years [formerly a child] under 12 not to be employed more than four months a year. Amending C. S. '97 §6953-55. **Neb.** 108, 31 Mr
- 859 Children graduates of grammar school may be granted certificates allowing them to work in manufacturing establishments. Amending P. S. '91 ch. 93 §12. **N. H.** 84, 11 Mr
- 860 Children under 16 not to operate dangerous machines in factories. Amending '97 ch. 415 §81. **N. Y.** 192, 1 Ap
- 861 General law as to employment of minors. **Wis.** 274, 27 Ap
- 862 **Sweat shops.** Inspector of factories to examine tenements and dwellings used wholly or in part as workshops; powers. **Ct.** 199, 20 Je
- 863 Manufacture of wearing apparel, flowers, cigarettes or cigars forbidden in dwellings except on written permit of factory inspector granted after inspection, stating number to be employed and that building is fit; permit to be framed and posted in room; firms giving out work shall require production of permit and keep register of persons to whom given; family may employ seamstress. Amending '95, 184. **Mich.** 233, 9 Je

- 864 Limiting number of persons who may work in tenement or dwelling at manufacture of wearing apparel; firms contracting for such articles to keep register of names and addresses of workers; no firm to sell articles made in violation. Mo. p. 273, 2 Je
- 865 Tenement not to be used for purposes of manufacturing unless license is obtained from factory inspector; articles manufactured under unhealthy conditions in other states to be inspected before sale; other amendments to '97 ch. 415 art. 7 relating to tenement made articles. N. Y. 191, 1 Ap
- 866 Factory inspector may seize and destroy clothing being made in unhealthful places or where there are contagious or infectious diseases. Amending '97 ch. 37 §4. Pa. 64, 28 Ap
- 867 Regulating manufacture of clothing and tobacco goods in dwellings. Wis. 232, 20 Ap
- 868 Special regulations. Factories to be *well lighted*, ventilated and kept clean. Amending G. L. '88 §2265. Ct. 119, 17 My
- 869 Merchants to provide seats for employees. Fla. 101, 3 Je
- 870 Architects to insert clause in all building specifications providing temporary water closets for workmen; contractor to build in first week. Mich. 205, 17 My
- 871 Cellars not to be used as bakeshops; exception; other amendments to '97 ch. 174 §2. Ct. 140, 31 My
- 872 Prescribing hours of labor and sanitary conditions in bakeries and confectionary establishments. Repealing '91 p. 159 §17-18. Mo. p. 274, 29 My
- 873 Regulating location, dimensions, window surface, ventilation and cleanliness of cigar manufactories; persons under 18 not to work over eight hours a day or 48 hours a week; separate dressing rooms and water closets; factory inspector to enforce. Wis. 79, 30, Mr
- 874 Emery wheels and belts to be provided with fans, on order of commissioner of labor. Mich. 202, 17 My
- 875 Regulating use of emery wheels and belts. Wis. 189, 14 Ap

### Organization. Strikes. Arbitration

(See also Trade marks, 4269; Fraternal societies, 3757)

- 876 Lawful to form trades-unions and to persuade others to quit work by peaceable means; no right to trespass. Tex. 153, 27 My
- 877 Arbitration. State board established; on petition of either party board may arbitrate; decision binding, if both parties petition, six months unless notice of 60 days is given; board may investigate and report without petition; local boards may arbitrate. '97 p. 14 reenacted to correct illegality in passage. Id. p. 319, 18 F

- 878 Person refusing to give testimony or produce books or records before state board of arbitration may be punished as for contempt of court; failure to abide by decision of board punishable; two or more employers or their employees may make joint application to the board; mayor and chief officer of labor organization to furnish information to board. Amending '95 p. 5 (special). Ill. p. 75, 12 Ap
- 879 Term of labor commissioner *four* [formerly two] years; salary \$1800 [formerly \$10 a day, investigations limited to 10 days each]; shall offer mediation in *all* strikes [formerly affecting 50 persons]; any employer and his employees [formerly at least 25] may ask for arbitration; salary of arbitrators \$5 a day [formerly \$10 limited to 15 days for one arbitration]. Amending '97, 88. Ind. 128, 28 F

## Corporations

(See also Taxation of corporations, 1364; Insurance, 3698; Transportation, 3850; Light, Water, etc, 2977)

### General

#### Incorporation. Charter

- 880 General. Revision of corporation law. Del. 273, 10 Mr
- 881 When charter is about to expire, corporation may renew it for not more than 20 years; procedure; fee. Col. 89, 11 Ap
- 882 Joint-stock corporations to pay tax on organization; regulations of preferred stock; directors; dissolution; increase of capital stock. Amending '95 ch. 224 §1; '89, 65; G. L. '88 §1954. Ct. 227, 20 Je
- 883 Private corporations may be formed by five persons provided *one* [formerly a majority] is resident of state. Amending R. S. '87 §2576. Id. p. 404, 28 F
- 884 Charters of private corporations under special acts passed before adoption of constitution to continue in force 30 years; regulations. Ind. 111, '83. *Unconstitutional*. Creates corporations, other than banking, by special act; grants special privileges. Bank of Commerce v. Wiltsie, 53 N. E. 950.
- 885 Amending certain sections of G. S. '97, 68 relating to private corporations. Kan. 10, 7 Ja
- 886 Repealing two year limitation on renewal of expired corporations (C. L. §7035). Mich. 60, 2 My
- 887 Minor amendments to corporation law. '96 ch. 185 §3, 6. N. J. 176, 24 Mr
- 888 Articles. Certificates. Mode of correcting errors in certificates of incorporation. Amending '96, 185. N. J. 66, 21 Mr



- 889 Certificate of secretary of state to be prima facie evidence of incorporation of new corporation formed by consolidation of two or more corporations. N. Y. 201, 1 Ap
- 890 Secretary of state to certify to state examiner filing of articles of incorporation of all corporations subject to examination. Amending R. C. '95 §2889. N. D. 52, 8 Mr
- 891 All corporations for profit must file certificate with secretary of state and county clerk. Wy. 61, 20 F
- 892 Amendment of charter. Amending '85 ch. 19; '93 ch. 380 for the amending of charters of corporations. N. C. 618, 7 Mr
- 893 Names. New corporations not to take name of one already organized. Amending R. S. '98 §314. U. 52, 9 Mr

**Government. Officers**

- 894 Directors or trustees may fill vacancy in their own number till corporation fills it. Ct. 27, 23 Mr
- 895 Providing for service of process in quo warranto on nonresident usurping office in a corporation. Ct. 23, 23 Mr
- 896 Directors of printing and publishing companies to hold office not over three years. Amending C. L. §7161. Mich. 20, 20 Mr
- 897 Requiring certain officers of corporations other than railroad companies to keep their offices in state; directors to be residents of state. Amending R. S. '89 §2491, 2510. Mo. p. 117, 11 My
- 898 Meetings of directors or trustees of corporations organized under state laws, to be held within *or without* the state. Amending C. C. '95 §448. Mon. p. 108, 24 F
- 899 Amending '96 ch. 185 §34 as to manner of electing directors. N. J. 120, 23 Mr
- 900 Chancellor may, on petition, inquire into causes of complaint over election of directors of corporations and order new election. Amending '96, 185. N. J. 213, 24 Mr
- 901 Liability of director of stock corporation amended ('92 ch. 688 art. 2). N. Y. 354, 18 Ap
- 902 Action to enforce liability against director etc. of moneyed corporation to be brought within *three* [formerly six] years; amending C. C. P. §894. N. Y. 281, '97. *Void* as to existing causes of action which accrued three or more years before its taking effect because it did not allow reasonable time for commencement of such actions after its taking effect; deprives person of property without due process of law. *Gilbert v. Ackerman*, 159 N. Y. 118.
- 903 When private corporation fails to elect directors at annual meeting, special meeting may be held for the purpose. N. M. 71, 16 Mr

## Corporations

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### NEW YORK STATE LIBRARY

- 904 Repealing '97, 331 requiring officers and directors of railroads, banks and other corporations to take official oath.

N. C. 23, 26 Ja

- 905 Domicile of private corporations may be changed by two-thirds vote and filing record. Supplementing Vt. S. §3734.

Vt. 68, 22 N '98

#### Capital. Stockholders

- 906 **Increase or reduction.** Regulations for increase or decrease of stock of corporations other than railroad, tramway, turnpike and canal companies; fees.

S. C. 38, 1 Mr

- 907 Mechanical and manufacturing corporations may increase capital to any amount [formerly \$1,000,000].

Mass. 199, 28 Mr

- 908 Corporations may diminish capital to sum not less than debts; *deposits in trust companies and banks not to be counted as debts, nor are such corporations relieved from liabilities incurred prior to reduction; depositors must be notified of proposed decrease.* Amending G. S. '91 §1515.

Wash. 106, 13 Mr

- 909 **Certificates. Miscellaneous.** Personal liability of stockholders of corporations amended (R. S. '87 §2609). '91 p. 172 reenacted to correct illegality in passage.

Id. p. 115, 6 F

- 910 Manner of enforcing lien of corporation on its stock; notice to stockholder; sale. Amending G. L. '88 §1923.

Ct. 50, 6 Ap

- 911 Corporations may divide capital stock into smaller shares.

Nev. 9, 21 F

#### Powers. Regulations. Property

- 912 **Conveyances.** Corporations may transfer foreign concessions or franchises.

Cal. 79, 13 Mr

- 913 **Consolidation. Purchase of stock.** Corporation, except railroad or canal, may lease its property to another corporation; exceptions.

N. J. 150, 24 Mr

- 914 Stock held by another corporation to be voted by president unless directors designate other officer; directors of one may be elected as directors of another, as in case of other stockholders.

Wis. 100, 30 Mr

- 915 **Reports.** Corporations other than railroad, banking, building and loan and insurance companies to make annual report to secretary of state.

Ill. p. 111, 21 Ap

- 916 Reports of manufacturing companies shall contain *name and address of each officer and director*; neglect to report renders directors liable for debts contracted during neglect; secretary of state to notify company and each officer and director, by mail, of such neglect; *his certificate prima facie evidence of receipt of notice; all actions based on neglect to be begun in two years.* Amending C. L. §7048.

Mich. 203, 17 My

- 917 Annual balance sheet to be filed. N. M. 77, 16 Mr
- 918 **Miscellaneous.** Suits against corporations organized under laws of state may be brought in any county where corporation has an office or agency, or where any person resides who can be served with process. Ind. 11, 7 F
- 919 Act limiting power of corporations to hold land (G. S. §5877) not to apply to those organized to deal in lands now owned by same persons who held before act passed. Minn. 129, 3 Ap
- 920 Minor amendment to examination of books of corporations to verify returns for taxation ('79 ch. 122 §12). Pa. 66, 28 Ap
- 921 Private corporations shall *within 10 days after each election of officers* file list on whom process may be served. Amending R. S. '98 §1775b. Wis. 46, 23 Mr

**Dissolution. Insolvency**

- 922 **Dissolution.** Providing voluntary dissolution of private corporations; application to court; notice. Mo. p. 116, 17 Ap
- 923 On voluntary dissolution of solvent corporation court may, if creditors do not object, dispense with receiver. Amending C. C. P. §2429. N. Y. 599, 16 My
- 924 When receiver has been appointed and property is in custody of court and corporation has forfeited franchise by failing to maintain office or to appoint secretary of state as its agent on whom process may be served, court shall distribute property. N. D. 55, 24 F
- 925 **Insolvency. Receivers.** Courts of equity authorized to order sale of property and franchises of quasi public corporations, at suit of creditors having judgment. Ala. p. 98, 23 F
- 926 Wages of employees of corporation to be preferred claim when receiver is appointed. Ala. p. 100, 23 F
- 927 Court shall allow attorneys filing original petition for moving creditors and to receiver appointed thereunder reasonable compensation. Amending '97 p. 55. Ga. p. 86, 23 D '98
- 928 Receiver need not prove appointment unless it is specifically denied. Ind. 168, 3 Mr
- 929 Cases in which receivers may be appointed. Amending G. S. '97 ch. 95 §264. Kan. 9, 6 Ja
- 930 When corporations have assigned or receiver is appointed, court may at once, on hearing of petition of assignee, receiver or creditor, resort to enforcement of stockholders' liability and make assessments; stockholders not parties to suits heretofore may be assessed after final judgment. Minn. 272, 18 Ap
- 931 Receiving money by insolvent corporation a larceny. Mo. p. 121, 17 My

- 932 Compensation of receivers to be at discretion of court; either salary, lump sum or percentage. **Neb.** 33, 24 Mr
- 933 Court may allow receivers an amount not exceeding \$100 when commissions do not equal that amount. Amending C. C. P. §3320. **N. Y.** 94, 16 Mr
- 934 Appointment of receivers amended (G. L. ch. 177 §27). **B. I.** 655, 4 My

**Foreign corporations**

- 935 Foreign corporations must file charter with secretary of state and designate agent on whom process may be served. Amending Digest '94 §1323. **Ark.** 19, 16 F; 65, 18 Mr; 168, 8 My
- 936 Foreign corporation can not maintain or defend action till it designates person on whom process may be served. Amending '72, 566. **Cal.** 94, 17 Mr
- 937 Foreign corporations must report increase or decrease in capital stock; other minor amendments to '97 p. 174. **Ill.** p. 118, 22 Ap
- 938 Foreign corporations to have public office in state; articles of incorporation and statement of property in state to be filed with secretary of state; license fees on proportion of capital stock; penalty of \$1000 for neglect. Repealing '95, 332. **Minn.** 69, 18 Mr; 70, 17 Ap
- 939 Foreign corporations to procure license from secretary of state before doing business. **Mo.** p. 129, 23 My
- 940 Regulating foreign corporations for mining or manufacturing; copy of charter to be filed; resident creditors to have priority; taxation. **Tenn.** 31, '77. *Partly void.* Provision that creditors resident in state shall have priority in distribution of assets over creditors of other states and countries violates the United States constitution which declares that citizens of each state shall be entitled to all privileges and immunities of citizens in the several states. *Blake v. McClung*, 172 U. S. 239.
- 941 Penalty for not filing charter of foreign incorporation \$250; attorney general to begin civil action to recover same. **Wash.** 58, 13 Mr
- 942 Provisions as to filing articles of foreign incorporation no longer apply to partnerships; penalty for violation \$500 [formerly \$1000 for second offense]. Amending R. S. '98 §1770b. **Wis.** 351, 4 My

**Special stock corporations**

- 943 Extending provisions of '73, 198 regulating incorporation and management of railroads to bridge and tunnel companies. 14p. **Mich.** 266, 23 Je

## SUMMARY OF LEGISLATION, 1899

- 944 Summer resort corporations may operate in adjoining state. Amending '97, 230. Mich. 30, 30 Mr
- 945 Cooperative associations not declaring dividend for five years may be dissolved by district court on petition of five stockholders. Amending G. S. §2910. Minn. 217, 14 Ap
- 946 Solvent real estate corporations organized for term of five years may renew for five years. Minn. 252, 17 Ap
- 947 Corporations for carrying on trade of merchants may deal in farm products. Amending '75, 142. Tenn. 304, 22 Ap
- 948 Providing form of charter for construction companies. Amending '75, 142. Tenn. 224, 15 Ap
- 949 Providing for organization of laundry corporations. Amending '75, 142. Tenn. 17, 21 Ja
- 950 Companies may be organized for storage, transportation, purchase and sale of oil, gas, salt, brine and other mineral solutions; powers defined; may condemn lands. Tex. 117, 15 My

## Corporations not for profit

(See also Private educational institutions, 435, 456; Fraternal societies, 3757; Charities, 3480; Agricultural associations, 4436; Exemptions from taxation, 1180)

**Membership corporations generally.** (Including religious, educational, social, scientific, benevolent etc.)

- 951 **Incorporation. Powers.** Revision of laws regulating incorporation of literary and scientific associations. Mich. 29, 30 Mr
- 952 Repealing certain acts relating to associations not for pecuniary profit. N. J. 76, 22 Mr
- 953 Amending liability of directors of corporations for promoting agriculture and corporations for promoting principles of a political party ('95 ch. 559 §11). N. Y. 292, 10 Ap
- 954 Religious, educational and benevolent corporations may amend their articles of incorporation at any meeting; notice. Amending Ann. S. '99 §3833. S. D. 92, 24 F
- 955 **Property. Bonds, etc.** Limitations on real estate holdings do not apply to nonprofitable corporations whose land is timbered, and not over 160 acres. Amending C. C. §595. Cal. 12, 16 F
- 956 Religious, social and benevolent corporations may mortgage or sell property *by majority vote of members* [formerly on an order from district court] after publication of notice. Amending R. S. '87 §2764. Id. p. 436, 6 Mr
- 957 Religious, educational or benevolent corporations may hold property to amount of \$100,000. N. J. 117, 23 Mr
- 958 Real estate holdings of religious and charitable associations limited to \$100,000 [formerly \$50,000]. Amending R. C. '95 §2859. N. D. 53, 9 Mr

- 959 Corporation not for profit may change name. Pa. 107, 2 My  
 960 Clubs. Social organizations. Prohibiting unauthorized wearing of secret society badges. Cal. 75, 11 Mr  
 961 Incorporation of masonic and similar grand lodges shall include subordinate lodges, which shall have all rights of other corporations. Amending R. S. '95 art. 713. Tex. 138, 23 My

**Religious corporations**

- 962 Incorporation. General law for the incorporation of churches and religious societies. '95 p. 24 reenacted to correct illegality in passage. Id. p. 236, 14 F  
 963 Regulating incorporation of methodist, episcopal, baptist, reformed Dutch, evangelical and Mennonite brethren churches. Mich. 11, 2 Mr; 40, 18 Ap; 54, 2 My; 82, 25 My; 94, 1 Je; 225, 7 Je  
 964 Religious societies may designate denomination according to policy of which they shall be administered and may fix qualifications of trustees. Amending G. S. §3025. Minn. 73, 20 Mr  
 965 Religious societies may incorporate under either "An act to incorporate religious societies" (revision, 1875) or "An act to incorporate associations not for pecuniary profit" ('98, 181). Amending '98, 181. N. J. 23, 13 Mr  
 966 Calling and dismissal of minister, fixing of salary and order or nature of worship, to be according to rules and usages of the denomination; exceptions. Amending '96 ch. 336 art. 1. N. Y. 720, 26 My  
 967 Submitting amendment to constitution authorizing incorporation of missionary societies. Vote November 1900. W. Va. j. r. 19, 25 F  
 968 Property. Amending '93 ch. 44 §3 relating to transfer of property from ecclesiastical society to church corporation. Ct. 220, 20 Je  
 969 Bishop, priest or elder of a church or society may become a sole corporation and hold property in trust; powers. Mon. p. 105, 27 F  
 970 Trustees. To be elected according to rules of denomination. Amending R. S. '93 ch. 39 §2. Del. 217, 9 F  
 971 Religious societies may increase number of trustees to nine. Minn. 109, 3 Ap

**Banking and loan institutions**

(See also Taxation, 1379)

**Banks—general.** (Including all provisions relating to banks of deposit or relating to them jointly with following classes)

- 972 Incorporation. General revision of banking law. N. J. 173, 24 Mr

## SUMMARY OF LEGISLATION, 1899

- 973 Repealing certain acts relating to banks, safe deposit and trust companies. N. J. 177, 24 Mr
- 974 General banking law. Repealing '97, 4. Okl. 4, 10 Mr
- 975 Referring to next legislature amendment to constitution giving legislature power to pass general banking law. Wis. j. r. 13, 20 Ap
- 976 Liability of shareholders in trust companies and banks equals value of shares owned; supreme court on complaint of examiner may make assessment to restore impaired capital; shares of delinquent holders may be sold or forfeited to company. Me. 68, 14 Mr
- 977 Banks in cities or villages of not over 1500 may have not less than \$20,000 [formerly \$15,000] capital; *in cities not under 110,000, \$100,000a; over 110,000, \$250,000; when deposits are \$5,000,000; capital shall be increased to \$400,000*; directors to be elected in January [formerly December]; receiving deposit after bank is believed insolvent, a *felony* [formerly misdemeanor]; imprisonment not over *five* [formerly one] years; *loans to officers or employers must be approved by directors*; investments in bonds of certain railroads authorized. Amending '87, 205; '91, 10. Mich. 265, 23 Je
- 978 Banks applying in two years before expiration may extend corporate existence 30 years. Mich. 143, 23 Je
- 979 Bank director ceasing to own requisite stock vacates his place; *one fifth* [formerly one tenth] of net profit must go to surplus fund; report of directors' examining committee sent to public examiner. Amending '95, 145. Minn. 142, 11 Ap
- 980 Regulating dissolution and increase or decrease of capital stock of banks and trust companies; insolvent banks not to accept deposits. Mon. p. 109, 6 Mr
- 981 *Inspection—general.* Repealing '97 p. 59 providing for examination of private banks by state examiner. Ga. p. 72, 3 D '98
- 982 Commissioner of banking department may employ examiners; salaries \$1700; bonds \$10,000. Amending C. L. §6127. Mich. 47, 28 Ap
- 983 State corporation commission created to supervise building and loan associations, banks and certain other corporations. N. C. 164, 6 Mr; 642, 8 Mr; 688, 8 Mr
- 984 Salary of clerk and stenographer in bank examiner's office \$1200 [formerly \$1000]. Amending R. S. '98 §170. Wis. 299, 28 Ap
- 985 Bank examiner's chief clerk may examine banks. Amending R. S. '98 §2023k. Wis. 69, 30 Mr

- 986 **Capital.** Banks in towns of over 2500 to have at least \$25,000 capital paid in *and in smaller towns at least \$15,000* [formerly in all cases at least \$25,000]. Amending Code '96 §1086.  
Ala. p. 27, 23 F
- 987 **Secretary of state** shall, before bank or trust company begins business, ascertain whether required capital stock is paid in.  
Mo. p. 119, 12 Ap
- 988 **Loans. Reserve.** Three fifths of bank's reserve may consist of balance due from banks or *United States, state, county or city bonds*. Amending R. S. §2183.  
Fla. 89, 27 My
- 989 No bank to loan more than 10% of capital stock and surplus to one person without good [formerly collateral] security. Amending Code '95 §1916.  
Ga. p. 48, 22 D '96
- 990 **Banking corporations** not to carry loans secured wholly by real estate mortgages exceeding one half capital stock; guarantee of payment of such loan shall not bind bank but shall bind person making it; real estate bought under judgment shall not be held more than 10 [formerly five] years. Amending R. C. '95 §3229-30.  
N. D. 28, 9 Mr
- 991 **Deposits.** Bank depositor who has lost certificate may apply to supreme court for order compelling payment; regulations.  
N. Y. 451, 27 Ap
- 992 **Banks** to publish names of depositors who for three years have made no disposition of their deposits; unclaimed money to escheat to territory and be turned into school fund.  
N. M. 62, 16 Mr
- 993 **Bank notes.** Governor, treasurer and controller general to be commission to prepare and issue bank notes; banks may issue to amount of 75% of paid up capital, to be first lien on entire assets after taxes and dues to state; reserve fund 25% of outstanding notes; additional liability of stockholders; attorney general to test federal 10% tax law in United States supreme court.  
Ga. p. 73, 15 D '98
- 994 **Insolvency.** Voluntary assignments of banks and trust companies unlawful. Amending '97 p. 83.  
Mo. 118, 29 My
- 995 **Receivers of banks and trust companies** to report semiannually to court and on their discharge to file all books and papers with circuit clerk.  
Mo. p. 120, 31 Mr
- 996 **State, counties, cities and other municipalities** have no preference over other creditors of insolvent banks.  
Wis. 230, 20 Ap
- 997 **Mortgage, loan and investment companies.** Investment associations not already under statutory provisions to comply with building and loan association law.  
Wis. 216, 19 Ap



- 998 **Miscellaneous regulations.** Banks forbidden to advertise as trust companies. **Mass.** 467, 2 Je
- 999 Certain restrictions as to banking business not to apply to bankers of five years good standing at time of passage of this act. Amending C. L. '97 §254. **N. M.** 40, 15 Mr

**Savings banks.** (Including many provisions as to trust companies)

- 1000 **Incorporation.** Only banks or trust companies incorporated by this state or by the United States to receive deposits as a savings bank; penalty. **Ct.** 206, 20 Je
- 1001 Not over two trustees of savings bank may be directors of *trust company or bank*; beneficiary of trust deposit to be named, and paid on death of trustee if bank has no notice of terms; orders may be paid notwithstanding drawer's death 30 days from date; deposits may be paid minor or depositor in trustees' discretion; receiver may pay balance due parties not found to state treasury, to be held 20 years for rightful owners; supreme court may restrain payment of dividends and deposits when necessary to protect depositors. **Me.** 50, 9 Mr
- 1002 Generally amending '87, 18 as to incorporation of savings banks. **W. Va.** 45, 25 F
- 1003 **Deposits.** When deposit in savings bank is made by one person in trust for another the fact must be disclosed to bank. **Ct.** 122, 19 My
- 1004 Receipt of minor for deposit in savings bank valid. **Ct.** 202, 20 Je
- 1005 Depositors' books to be verified every four years by examiners selected by savings banks and approved by bank commissioners. **N. H.** 72, 11 Mr
- 1006 **Investments.** Savings banks investment law amended (G. L. '88 §1800, 1801, 1803, 1815). **Ct.** 146, 1 Je
- 1007 Savings banks may loan on bonds of Boston Terminal company. **Mass.** 215, 30 Mr
- 1008 Prescribing securities in which savings banks may invest. **N. J.** 207, 24 Mr
- 1009 Savings banks may under certain restrictions invest deposits in bonds of railroad of another state controlled by railroad of this state; not more than 5% in bonds of one railroad. Amending '98 ch. 236 §116. **N. Y.** 386, 21 Ap
- 1010 **Reserve.** Savings banks' guaranty fund may be 10% [formerly 5%] of deposits; investments amended slightly. **P. S.** '91 ch. 165 §16; '95 ch. 114 §4. **N. H.** 74, 11 Mr

**Trust, safe deposit and investment**

- 1011 **Incorporation.** General law for incorporation of trust companies. **Ga.** p. 78, 23 D '98

## Corporations

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### NEW YORK STATE LIBRARY

- 1012 Generally amending '83, 107 relating to annuity, safe deposit and trust companies. Minn. 200, 13 Ap
  - 1013 Revision of law relating to trust companies. N. J. 174, 24 Mr
  - 1014 Revision of law relating to safe deposit companies. N. J. 175, 24 Mr
  - 1015 Correcting defective title of '97 p. 184 amending law regulating trust companies. Ill. p. 123, 24 Ap
  - 1016 Amending amount of capital required for formation of loan and trust and safe deposit companies (Ann. S. '97 §3815). Ind. 219, 6 Mr
  - 1017 Trustee or director of trust company absent for five consecutive monthly meetings to lose office; *not to apply to director of company residing over 500 miles from place of meeting.* Amending '95, 105. N. H. 14, 28 F
  - 1018 Powers. Trust companies may act as fiduciaries. Mass. 348, 9 My
  - 1019 Safe deposit and trust companies may increase their capital to any amount. Amending '85, 206. N. J. 5, 28 F
  - 1020 Miscellaneous regulations. Trust deed or mortgage void when certified to by trust company in violation of law. Amending '97 p. 184. Ill. p. 123, 24 Ap
  - 1021 Word 'trust' prohibited as part of name unless business is carried on under '93, 161 concerning loan and trust companies. Ind. 96, 24 F
  - 1022 Unlawful for trust or deposit company to loan funds to its officers. Ind. 107, 27 F
  - 1023 Safe deposit boxes may, upon nonpayment of rent, be opened. Mo. p. 120, 24 My
- Building, loan, savings associations
- 1024 Incorporation. Regulating building and loan associations. Ala. '93, 280. *Partly void.* That portion which provides that in determining whether or not a transaction is tainted with usury, premiums heretofore taken shall not be treated as interest, is retroactive and is not expressed in title. *Lindsay v. U. S. savings & loan co.* 24 So. 171.
  - 1025 General law; annual statement; license fee; examination by insurance commissioner. Del. 274, 9 Mr
  - 1026 General law. Kan. 78, 4 Mr
  - 1027 Generally amending building and loan association law. Neb. 17, 4 Ap; N. M. 72, 16 Mr; Wis. 156, 11 Ap

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<sup>a</sup> The names of these organizations vary somewhat but the powers and regulations do not depend on the name. The ordinary phrase is building and loan associations but they are elsewhere called savings and loan associations, cooperative loan associations, etc. and in Massachusetts cooperative banks.

- 1028 Minor amendments to building and loan association law (R. S. '97 ch. 32 §69). Ill. p. 112, 24 Ap
- 1029 Loan companies and associations specially chartered and supervised by commissioners of savings banks to be exempt from local license. Mass. 261, 10 Ap
- 1030 Amending powers of building and loan associations ('97 p. 231 §4). Mon. p. 121, 3 Mr
- 1031 Capital. Shares. Amending R. S. '75 p. 64 as to withdrawal of shares not pledged as security. N. J. 160, 24 Mr
- 1032 Building and loan associations may issue "reserve fund stock." Amending '95 p. 103 §11. Or. p. 19, 14 O '98
- 1033 Miscellaneous. Regulations. Building and loan associations may go into liquidation [formerly within one year from date of act]; *court not to entertain petition for receiver except on written recommendation of auditor of state.* Amending '97 ch. 184 §8. Ind. 63, 22 F
- 1034 Loans or deposits of insolvent loan societies are lien on assets; loan to one person not over \$3000 [formerly \$2000]; interest not over 7% [formerly 10%]; *quarterly* [formerly annual] reports to *commissioner of banking department* [formerly state treasurer]. Amending '77, 205. Mich. 273, 23 Je
- 1035 Manner of making loans amended ('94 ch. 705 §178). N. Y. 704, 25 My
- 1036 May loan funds to stockholders at such rates as are fixed by charter or by-laws; may purchase real estate necessary for immediate accommodation in transacting business. Amending R. C. '95 §3205, 3209. N. D. 32, 10 F
- 1037 In event of payment, foreclosure or redemption of mortgage held by insolvent association, all payments of dues and premiums on stock pledged as security shall be credited on mortgage and obligation thereby secured. Amending R. C. '95 §3219. N. D. 33, 8 Mr
- 1038 Inspection. Reports. Officers and directors of mutual saving fund, loan and building associations to file bonds *with supervisor of building and loan associations* [formerly with state treasurer]. Amending '95 p. 105. Mo. p. 122, 26 Ap
- 1039 Examiners of building and loan associations to give bond and file oath. Amending '97 p. 91. Mo. p. 123, 26 Ap
- 1040 Associations to report to and comply with regulations of department of banking and insurance. Amending '91, 6. N. J. 166, 24 Mr
- 1041 Foreign associations. Foreign building and loan associations to deposit with state treasurer securities amounting to \$25,000, subject to taxation, before doing business. Amending R. C. '95 §3203. N. D. 31, 28 F

- 1042 Act (R. C. '95 §3219) relating to insolvent building and loan associations made applicable to foreign corporations.

N. D. 33, 8 Mr

### Trusts. Combinations. Monopolies

- 1043 General laws. Pools and trusts prohibited; forfeiture of charter or right to do business; secretary of state to require affidavit of all corporations annually. Ark. 41, 6 Mr
- 1044 Combinations in restraint of trade prohibited; damages; penalties. Kan. 293, 4 Mr
- 1045 Defining and prohibiting trusts; proof of existence and defendant's connection sufficient; contracts void; person injured may have twofold damages. Mich. 255, 23 Je
- 1046 Defining and prohibiting trusts; felony; forfeiture of charter; contracts not enforceable; any citizen may and attorney general shall prosecute. Minn. 359, 29 Ap
- 1047 Pools, trusts, etc. a conspiracy; insurance companies *not* exempt. Amending '97 p. 208. Mo. p. 314, 18 Ap
- 1048 Additional restraints on operation of trusts and monopolies; jurisdiction of circuit courts; subpoenas; persons injured may recover threefold damages sustained and costs. Mo. p. 316, 10 My
- 1049 Attorney general in proceedings against trusts and monopolies, may take testimony of persons residing outside jurisdiction of court or state procedure. Mo. p. 318, 4 My
- 1050 Procedure in securing testimony in proceedings against trusts. Mo. p. 320, 4 My
- 1051 Revision of '97, 383 regulating monopolies. N. Y. 690, 25 My
- 1052 Corporations or persons becoming parties to trusts, etc. guilty of conspiracy; rules as to evidence and procedure; exceptions. N. C. 666, 8 Mr
- 1053 General act prohibiting pools and trusts; in effect Jan. 31, 1900. Tex. 146, 25 My
- 1054 Penalty for conspiring against trade \$200 to \$5000 [formerly \$50]. Amending R. S. '95 art. 5318. Tex. 172, 5 Je
- 1055 Special regulations. Prohibiting combinations to prevent dealers and manufacturers from selling to any dealer, manufacturer or artisan; injured party may recover damages. Ind. 148, 3 Mr
- 1056 Unlawful to form pools, trusts or conspiracies to control rates of transportation between this country and Europe. N. Y. 727, 26 My
- 1057 Combinations of fire insurance companies to control rates prohibited; annual affidavits of officers; revocation of license. S. C. 39, 7 Mr

- 1058 Territorial commerce commission created; wholesale and retail licenses for sale of coal oil required; commission to establish maximum and minimum price for oil. N. M. 50, 15 Mr

## Finance

### State finance

(See also School finance, 236)

#### State debt. Tax

- 1059 Limit. Authorization. Controller may borrow money for certain expenses heretofore or hereafter incurred for national guard and volunteers. Amending '98 ch. 672 §2. N. Y. 493, 2 My
- 1060 Sinking fund. Loans by sinking fund commission must be repaid in gold or silver coin, in United States currency or in national bank notes. S. C. 89, 23 F
- 1061 Creating sinking fund for retirement of state debt. Tenn. 8, 27 Ja
- 1062 Redemption. War loan bonds drawing highest interest to be redeemed first. Amending '98, 1. Mich. 261, 23 Je
- 1063 Funding. Refunding. Additional regulations for issue of bonds to refund state debt. Amending '95 p. 1017 §6. Ala. p. 62, 16 F
- 1064 Loan commission abolished. Repealing R. S. '87 §2039; '91 ch. 79 §1, '95, 33, 74. Ari. 32, 13 Mr
- 1065 State debt to be funded at 3% interest, 30 years. Ark. 148, 8 My
- 1066 Whenever state university presents matured state bonds for redemption, governor shall issue in lieu 50 year non-negotiable bond at 3 1-2% [formerly 7%]. Amending '81 p. 101. Ga. p. 68, 20 D '98
- 1067 State treasurer, auditor and governor to be a commission for funding of present state debt; regulations. '90-91 p. 211 re-enacted to correct illegality in passage. Id. p. 144, 10 F
- 1068 Providing for refunding indebtedness of territory. N. M. 58, 16 Mr
- 1069 Extending time within which owners of state bonds issued before 1867 may exchange them for bonds of new issue; other amendments to '79, 98. N. C. 388, 4 Mr
- 1070 Whenever general fund warrant indebtedness is \$5000, bonds shall be issued and sold to permanent school fund; 3½% interest. Wash. 44, 8 Mr

- 1071 **State tax.** For state purposes *50c* [formerly *35c*] on each \$100.  
Tenn. 60, 27 Ja; 432, 24 Ap

**Audit. Account, etc.**

- 1072 **Appropriations. Limit of expenditure.** Appropriations for miscellaneous purposes not to be expended for clerical services *except on written consent of each member of board of control.*  
Amending '97, 167. Ct. 13, 17 Mr
- 1073 Not payable without itemized vouchers showing proper expenditure; appropriation for office expenses not to be spent for labor.  
Ind. 137, 2 Mr
- 1074 When tax for state institutions is provided in specific appropriation bill, amount shall be for period ending June 30 of next year. Repealing C. L. §2230. Mich. 142, 23 Je
- 1075 Current expense money for preceding appropriation year in hands of state institutions on *December 15* [formerly June 15] to be sent to state treasurer. Amending C. L. §1209.  
Mich. 148, 23 Je
- 1076 Expenditures of state institutions not to exceed appropriations, except in case of calamity on consent of governor, state auditor and state treasurer; no debt lawful when made before appropriation.  
Minn. 310, 20 Ap
- 1077 State contracts not to exceed appropriation; contract for part not to be binding on state till contracts for whole are made; exception. Amending '97, 413. N. Y. 479, 2 My
- 1078 Indebtedness on behalf of state not to be incurred by an officer, board etc. without appropriation; specific appropriations not to be used for other purposes; moneys received from fees etc. to be paid to state treasurer monthly. Amending '97 ch. 413 art. 1. N. Y. 580, 12 My; 715, 26 My
- 1079 Manner of paying appropriations to state institutions.  
Pa. 4, 15 Mr
- 1080 All statutory appropriations payable quarterly in advance unless otherwise directed. Amending R. S. '98 §172. Wis. 351, 4 My
- 1081 State officers not to create expense in excess of contingent funds; accounts and vouchers; penalty. Wy. 35, 16 F
- 1082 **Account. Miscellaneous.** Fiscal year to begin July 1. Repealing '97, 14. Ari. 28, 11 Mr
- 1083 Time and manner of payment of state money to state treasurer by county treasurer. Id. p. 396, 6 Mr
- 1084 County treasurers shall promptly remit state funds without expense to state, at their own risk; actual expenses to be allowed by county commissioners. N. D. 152, 8 Mr
- 1085 **Funds.** Establishing state printing fund. Cal. 58, 6 Mr

- 1086 Funds to credit of university interest and sinking fund *July 15*  
[formerly January 3] to be transferred to general fund.  
Amending '93, 65. Cal. 77, 11 Mr
- 1087 Governor may transfer to exhausted general fund money not  
needed in other funds. Cal. 125, 20 Mr
- 1088 Transferring certain state funds to general fund. Neb. 73, 17 F
- 1089 Accumulated land grant funds in hands of secretary of state to  
be turned over to treasurer. N. C. 575, 7 Mr
- 1090 Money from leasing of school lands to be turned into territorial  
treasury. Repealing '97, 39. Okl. 25 art. 2, 6 Mr
- 1091 State board of loan commissioners may make temporary loans for  
state; interest not to exceed 6%. U. 8, 2 Mr
- 1092 When general funds are unavailable, warrants shall be paid from  
permanent school fund, to be repaid with interest.  
Wash. 41, 7 Mr
- 1093 Fees received by state engineer to be credited to *general* [formerly  
contingent] fund. Amending '95 ch. 45 §5. Wy. 38, 17 F
- 1094 Deposit. Limiting deposit of public funds in banks. Repealing  
'89, 169. Ct. 213, 20 Je
- 1095 Interest on state deposits in banks not to be under 2% [formerly  
3%]. Amending G. S. 344. Minn. 309, 20 Ap
- 1096 Amending C. S. '97 §5090 relating to depositories of state funds;  
*officers of bank seeking to qualify are ineligible to sign bond re-  
quired*; interest on daily balances to be at rate of 2% [formerly  
3%]. Neb. 74, 4 Ap
- 1097 Public funds to be kept within territory; penalty. N. M. 6, 8 F
- 1098 State depositories designated by board of auditors to continue to  
be such till new ones are designated and qualified; board to  
designate on second Tuesday in January of even years; interest  
2% to 3% [formerly 3% to 4%]. Amending R. C. '95 §237.  
N. D. 150, 28 F
- 1099 Warrants. Payments. Unpaid warrants on territorial treasurer  
to draw interest at 7% [formerly 10%]. Amending R. S. '87  
§2986. Ari. 6, 9 F
- 1100 Payment of appropriations in case revenues of state are insuffi-  
cient amended as to educational and charitable institutions  
( '97, 1). Col. 1, 8 Ap
- 1101 State treasurer failing to call warrants promptly guilty of mis-  
demeanor. Col. 156, 4 Ap
- 1102 State warrants not paid for want of funds bear interest at rate  
of 7% [formerly 10%]. Amending R. S. '87 §238. '93 p. 168  
*reenacted to correct illegality in passage.* Id. p. 228, 14 F
- 1103 Auditor general to establish uniform system for paying fractions  
of salaries of state employees. Mich. 144, 23 Je

- 1104 Amending '97 p. 103 relating to payment of warrants by state treasurer; warrants not paid for want of funds bear interest at 4% [formerly 6%]. *Mon. p. 98, 7 Mr*
- 1105 Warrants issued by state to draw interest at 4% [formerly 5%]. *Neb. 48, 22 Mr*
- 1106 State auditor shall consecutively number vouchers and warrants; vouchers must show postoffice address of payee. *N. D. 170, 6 Mr*
- 1107 No person indebted to state for costs, fines, taxes etc. shall be entitled to witness fees, road damages etc. *Pa. 80, 28 Ap*
- 1108 Warrants for expenses of state officers not to be drawn till verified account of and receipt for such expenses are filed. *S. D. 135, 4 Mr*
- 1109 No official to be allowed transportation or hotel expenses unless included in sworn account accompanied by voucher of person or agent furnishing same; railway and steamboat vouchers to be stamped and signed; form of verification. *Wash. 65, 13 Mr*
- 1110 State auditor annually to cancel unpresented state warrants that have been issued one year. *Wy. 93, 21 F*
- 1111 **Claims.** Providing for organization of state board to examine claims against state; regulations. '90-91 p. 44 *reenacted to correct illegality in passage.* *Id. p. 24, 2 F*
- 1112 Creating commission to settle state claims when collection is doubtful or unfair. *Minn. 212, 13 Ap*
- 1113 Conferring jurisdiction on court of claims to hear and determine claims of counties containing towns, cities and villages bonded to aid in construction of railroads, as to state tax on such railroads. *N. Y. 336, 17 Ap*
- 1114 **Examination. Report.** Governor shall cause expert examination of accounts of officers handling state funds to be made biennially. Repealing R. S. §111, 127-29. *Fla. 188, 3 Je*
- 1115 Subpenas to be issued for officer failing to report to state treasurer or auditor or other state official when required to do so by law. *Id. p. 432, 4 Mr*
- 1116 Institutions receiving state aid must make itemized report of expenditures to auditor by October 31 annually. *Ind. 179, 4 Mr*
- 1117 Indiana university, Purdue university and state normal school to report receipts and expenditures in detail to state auditor semiannually. Amending '95, 80. *Ind. 183, 4 Mr*
- 1118 Settlement between general assembly and auditor and treasurer amended (R. S. '89 §8632, 8634). *Mo. p. 366, 29 My*



- 1119 Discrepancies between state auditor's books and statements of delinquent taxes returned from counties to be investigated and adjusted by *state examiner* [formerly auditor and examiner]. Amending R. C. '95 §1853. N. D. 72, 8 Mr
- 1120 Detailed statement of taxes levied in each town, village, city and county to be made annually by clerks, to secretary of state. Wis. 143, 10 Ap
- 1121 **State institutions.** Money received by state institutions to be paid monthly to treasury for credit of contingent fund of particular institution. Cal. 93, 17 Mr
- 1122 State institutions to report receipts and expenditures to governor semiannually; semiannual receipts to be paid into state treasury; to draw no money while refusing to comply with act. Ind. 119, 28 F
- 1123 Accounting officers of state institutions to pay over receipts *weekly* [formerly monthly] and forward report and order to state auditor *monthly* [formerly quarterly]. Amending G. S. §7979. Minn. 157, 11 Ap
- 1124 State institutions to make monthly requisitions on auditor for warrants to pay bills [formerly the appropriation was to be drawn in advance quarterly]. Amending R. S. '98 §2070. U. 53, 9 Mr

### Public lands. School lands

(See also Mining, 4355; Irrigation, 4474)

- 1125 **General laws.** Board of public lands created; commissioner of public lands appointed by governor; rules for leasing and managing public lands and funds; commission of irrigation appointed by governor. N. M. 74, 16 Mr
- 1126 General law relating to state board of land commissioners and management of state lands. Repealing R. S. '98 t. 62. U. 64, 9 Mr
- 1127 Generally amending '91 p. 109 as to management and sale of public lands, and investment of funds arising from sale. '93 p. 139, '95 p. 83 and '97 p. 45 reenacted to correct illegality in passage. Id. p. 72, 2 F
- 1128 Generally amending laws relating to management of state lands. Or. p. 156, 18 F; Wis. 258, 26 Ap
- 1129 Superintendent of public instruction as registrar of board of land commissioners to give \$10,000 bond. Wy. 14, 10 F
- 1130 State board of land commissioners may administer oaths in proceedings before them. Wy. 58, 18 F

- 1131 Appeal from state board of land commissioners to district court; procedure. Wy. 86, 21 F
- 1132 Office of deputy register of state land office created; salary \$1500; bond. Mon. p. 85, 24 F
- 1133 Sale. Lease. Fees of appraisers of 16th section lands \$1.50 a day. Ark. 70, 22 Mr
- 1134 Lands uncovered by recession and drainage and suitable for cultivation may be sold to settlers in tracts not over 160 [formerly 320] acres. Amending '93, 229. Cal. 149, 22 Mr
- 1135 Extension of time for final payments on state land by occupants. Id. p. 363, 28 F
- 1136 Amending G. S. '97 ch. 65 §4-5 relating to leasing and sale of unimproved school lands. Kan. 241, 6 Mr
- 1137 Auditor to correct patents to state lands defective in form or manner of execution. Kan. 243, 6 Mr
- 1138 Commissioner of state land office to withdraw from sale unsold university and primary school lands, investigate value, fix minimum price and restore to market. Mich. 95, 1 Je
- 1139 Office of register of lands abolished. Repealing R. S. '89, 136. Mo. p. 323, 6 My
- 1140 Prescribing manner of sale or lease of state lands; repealing certain sections of P. C. '95. Mon. p. 87, 1 Mr
- 1141 Applicants for lands not approved to state shall deposit with state land register advertising fees in addition to United States fees, when township contains mineral entries. Nev. 43, 9 Mr
- 1142 Interest one year overdue may be accepted on contracts for state lands not already reapplied for; reapplication for any part of lands on which interest is overdue shall be accepted; remainder reverts to state. Amending '85 ch. 85 §8. Nev. 104, 26 Ja
- 1143 Referring to next legislature, in case congress amends enabling act, amendment to constitution authorizing sale of public lands except school lands at not less than \$5 [now \$10] an acre. N. D. p. 259, 8 Mr
- 1144 Secretary of internal affairs may make settlement with owners of unpatented lands. Pa. 124, 5 My
- 1145 Commissioner of school and public lands may sell dead or fallen timber on such lands; proceeds to go to permanent school fund. S. D. 110, 4 Mr
- 1146 Generally amending R. S. '95 art. 4218q regarding purchase of timber lands. Tex. 89, 12 My
- 1147 Detached parcels of surveyed school lands may be sold at \$1 [formerly \$2] an acre. Amending R. S. '95 art. 4218y. Tex. 137, 23 My

## SUMMARY OF LEGISLATION, 1899

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- 1148 Settlers on state lands given preference rights to purchase.  
U. 88, 21 Mr
- 1149 Owner of improvements on leased school lands shall have preference to re-lease for 30 days after lease expires. Amending '97 ch. 89 §30. Wash. 48, 8 Mr
- 1150 Prescribing form of contract for leasing state mineral lands. Amending '97, 102. Wash. 147, 18 Mr
- 1151 Preference in purchase of tide lands to be withdrawn from abutting upland owners when appeal from state land commissioners to superior court is not tried in two years. Wash. 73, 13 Mr
- 1152 State board of land commissioners may deed to United States any lands granted to state, in return for equal area from United States. Wy. 72, 21 F
- 1153 Refund of money paid for lease of lands mistakenly supposed to belong to state. Wy. 90, 21 F
- 1154 **Miscellaneous regulations.** Governor to appoint land agent to examine titles to school and other lands which have passed out of possession of state; to settle disputed titles and to recover lands illegally taken. Ala. p. 116, 23 F
- 1155 Regulations for reclaiming by irrigation land given state by United States; state engineer to report to state board of land commissioners on plans submitted; board to select and dispose of lands; liens; fees. '95 p. 215 reenacted to correct illegality in passage. Id. p. 282, 2 Mr
- 1156 All lands acquired by state by foreclosure, forfeiture or escheat to be held and treated as school lands. Id. p. 443, 6 Mr
- 1157 Amending salary and duties of agent appointed to select lands donated to state by United States and to determine losses to state by occupancy of sections 16 and 36 by United States. Amending Ann. L. '87 §3597, repealing §3619. Or. p. 94, 17 F
- 1158 Two state land agents to be appointed to investigate depredations on state lands. Tex. 104, 10 My
- 1159 Commissioner of general land office to adjust conflicting surveys. Tex. 188, 15 Je
- 1160 Misdemeanor to cut timber or dig minerals on state land; penalty \$25 to \$1000 or one to 12 months or both. Wash. 34, 6 Mr
- 1161 State land commissioners may relinquish to United States selected lands the selection of which has failed or been rejected. Wash. 63, 13 Mr
- 1162 Misdemeanor to destroy or deface place of shelter or its contents on any public lands or remove records left on mountains or elsewhere. Wash. 114, 13 Mr

- 1163 **Swamp and overflowed lands.** Governor may expend proceeds of sale of Kankakee swamp lands in improvement of outlet for drainage of said lands. **Ind.** 258, 10 Mr
- 1164 **Board of internal improvements** [formerly state board of education] to appoint agent to supervise swamp lands. Amending Code §2512, 2523-25. **N. C.** 253, 24 F
- 1165 **Tide and shore lands.** Providing for recovery, survey and sale of islands formed in rivers and lakes and lands formed by recession of waters; compensation for improvements on such lands; procedure. Amending '95 p. 207. **Mo.** p. 276, 3 Je
- 1166 **Accretions to shore lands** belong to state; not to be sold till platted; adjacent owner to have 30 days preference. Amending '97 ch. 89 §51. **Wash.** 83, 13 Mr
- 1167 **Shore and tide lands** other than first class to be sold *in same manner as school lands*; one tenth of purchase price to be paid on date of sale [formerly application]; may be leased as *school* [formerly arid] lands, *not over 30 years*. Amending '97 ch. 89 §48, 50. **Wash.** 86, 13 Mr

### Taxation—general<sup>a</sup>

(Relating chiefly to general property taxes. *See also* Road taxes, 3290)

#### General regulations

- 1168 **Special tax commissions.** Tax commission created to examine laws and report bill to secure assessment of all property, prompt collection and correct returns. **Tex.** 13, 1 Mr
- 1169 Governor to appoint a commission to report in 1900 on double taxation. **Vt. j. r.** 375, 30 N '98
- 1170 Commissioner of taxation to be appointed by governor to serve 10 years from May 1, 1899; to investigate tax system and recommend reforms; salary \$5000. **Wis.** 206, 19 Ap
- 1171 **General laws.** General revenue law. **N. C.** 11, 8 Mr; 15, 8 Mr
- 1172 Generally amending laws as to assessment and collection of taxes. **Mich.** 262, 23 Je; 264, 23 Je; **N. M.** 22, 1 Mr; **Wash.** 141, 15 Mr
- 1173 Revision of law for assessing and collecting taxes. **N. D.** 126, '97. *Partly void.* §88 in so far as it authorizes recovery of taxes paid into county treasury prior to passage of the act, on land exempt from taxation, is unconstitutional; subject not expressed in title. *Divet v. Richland county*, 76 N. W. 993.

<sup>a</sup> Under local finance are placed only those tax laws which in the *strictest* manner belong there, as limitations of rates, etc. State and local taxes are usually collected together by local authorities; hence a separation would be confusing.

- 1174 Revision of law as to assessment and collection of revenue for state, county and municipal purposes. 75p. Tenn. 435, 24 Ap
- 1175 Regulating the levy and limitation of taxes. S. D. 41, 6 Mr
- 1176 Amendments and miscellaneous provisions. No action against state maintainable by counties or county officers for services in assessing and collecting ad valorem taxes. Cal. 11, 16 F
- 1177 Generally amending various sections of law relating to assessment and collection of taxes, equalization, collection of delinquent taxes and payment of county warrants. '95 p. 101 re-enacted to correct illegality in passage. Id. p. 254, 16 F
- 1178 Minor amendments to R. S. '97 ch. 24 §111; '71 p. 218 prescribing manner of assessment and collection of taxes for corporate purposes. Ill. 92, 21 Ap
- 1179 City attorney in taxing districts of 60,000 to prosecute or defend all suits involving assessment or collection of city taxes. Amending '79, 11. Tenn. 53, 28 Ja
- 1180 Tax law amended as to railroads and mines and duties of state board of equalization (R. S. '98 t. 67). U. 68, 9 Mr

#### Exemptions from general property tax

- 1181 Referring to next legislature constitutional amendment providing that legislature shall not pass local or private bill granting to any person, association, firm or corporation an exemption from taxation on real or personal property. N. Y. p. 1605, 26 Ap
- 1182 Property on which exemption from taxation expires at any time during year shall be taxed pro rata on remaining part of year. Amending R. S. '95 art. 5066. Tex. 160, 2 Je
- 1183 Canal and reservoirs for storing and distributing water to be exempt from taxation for 15 years after completion; restriction. Ari. 15, 3 Mr
- 1184 Railroads now exempt from taxation may change their lines to avoid grades etc; restriction. Ari. 35, 14 Mr
- 1185 Steam railroads hereafter constructed to be exempt from taxation for 10 years from date of this act. Ari. 68, 16 Mr
- 1186 Property of blind persons to value of \$3000 only shall be exempt from taxation. Ct. 9, 17 Mr
- 1187 Hospitals, private irrigation canals and dues and credits secured by mortgage, trust deed or lien to be exempt from taxation. Amending R. S. '87 §1400-01. '93 p. 150 re-enacted to correct illegality in passage. Id. p. 220, 10 F
- 1188 Referring to next legislature constitutional amendment, assessing patented mining claims (formerly exempt) at \$10 an acre. Nev. j. r. 6, 3 Mr

- 1189 Mining claims exempt from taxation till one year after issue of patent. N. M. 60, 16 Mr
- 1190 Mutual insurance companies incorporated in the state exempt from taxation on portion of personal property by cities and towns. Amending G. L. ch. 29 §5. R. I. 665, 23 My
- 1191 Pulp, rough-sawed lumber and charcoal manufactories may be exempted for 10 years by vote of town. Amending Vt. S. ch. 365. Vt. 14, 19 N '98
- 1192 Personal property. Cotton and other agricultural products and pig iron to be exempt from taxation when in hands of producer or a purchaser for prompt shipment. Ala. p. 122, 23 F
- 1193 Submitting constitutional amendment exempting from taxation all state and local government bonds. *Vote November 1900.* Cal. j. r. 34, 17 Mr
- 1194 Sheep to the value of \$100 exempt from taxation. Amending G. L. '88 §3820. Ct. 183, 14 Je
- 1195 Submitting amendment to constitution authorizing legislature to exempt from assessment and taxation \$300 in personal property for each head of family. *Vote November 1900.* Wash. 74, 13 Mr
- 1196 Membership corporations. Submitting amendment to constitution exempting from taxation property used exclusively for worship. *Vote November 1900.* Cal. j. r. 16, 17 F
- 1197 Submitting constitutional amendment exempting California school of mechanical arts from taxation. *Vote November 1900.* Cal. j. r. 30, 11 Mr
- 1198 Orphan asylums and homes for the indigent exempt from taxation. Amending G. S. §1512. Minn. 216, 14 Ap
- 1199 Circulating libraries open to the public exempt from taxation. Vt. 13, 22 N '98
- 1200 Delinquent taxes on charitable institutions remitted. Wash. 36, 6 Mr
- 1201 Repealing R. S. '98 §1038 subdiv. 20 exempting from taxation property of corporations for care of insane. Wis. 95, 30 Mr

## Assessment

- 1202 Assessors. Salary and terms of office amended ('97 ch. 51 §2). Ari. 63, 16 Mr
- 1203 Providing penalties for failure of assessor to properly assess property; duties of county commissioners as to assessment of taxes. Amending '99 p. 254. Id. p. 453, 13 Mr; p. 455, 13 Mr
- 1204 Assessors and deputy assessors of counties of 125,000 to be paid out of county treasury. Amending '98 p. 34. Ill. p. 335, 24 Ap

## SUMMARY OF LEGISLATION, 1899

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- 1205 County assessor not eligible for election more than twice in 12 years; county commissioners may authorize assessor to visit other counties and states in order to discover property believed to be omitted. Amending Ann. S. '97 §6375. Ind. 197, 4 Mr
- 1206 In villages constituting separate election districts assessors shall be elected by *people* [formerly council]. Amending G. S. §1218-19. Minn. 33, 2 Mr
- 1207 Creating office of assessor in counties of 100,000 to 185,000; salary \$2500. Minn. 140, 10 Ap. *Unconstitutional*. Special legislation regulating affairs of counties. State v. Ritt, 79 N. W. 535
- 1208 County assessors not to hold office more than two successive terms [formerly ineligible for election to any county office for two years]. Amending '95 p. 41. Mo. p. 324, 5 My
- 1209 County assessors to serve *two* [formerly four] years. Repealing '83 ch. 92 §1-2. Nev. 74, 14 Mr
- 1210 Town council may create board of assessors; duties. N. J. 107, 23 Mr
- 1211 Clerk of commissioners of assessment of taxes in certain cities may receive salary not exceeding \$1200 [formerly \$1000]. Amending '90, 161. N. J. 144, 24 Mr
- 1212 Assessors in townships in counties of 150,000 to hold office three years. N. J. 91, '93. *Unconstitutional*. A township in such county has no characteristics which would distinguish it from any other township of the same population and necessities. State v. Matthews, 42 A. 1051.
- 1213 Amending compensation of assessors ('97, 60). N. M. 25, 1 Mr; 24, 1 Mr
- 1214 Assessors not to receive more than \$60 for one civil township *nor more than \$180 for any district other than civil township*. Amending '97 ch. 126 §32. N. D. 138, 8 Mr
- 1215 Amending compensation of county assessors; annual meeting with territorial auditor abolished. Amending '97 ch. 12 art.5 §11, 13. Okl. ch. 11, art. 2, 10 Mr
- 1216 Township, city and town boards of assessors to be appointed by governor on recommendation of members of general assembly from county; chairman of such boards to be members of county board of equalization. S. C. 1, 12 Ja; 2, 2 Mr; 86, 6 Mr
- 1217 Oath of county assessor. S. D. 40, 3 Mr
- 1218 Revision of law as to county assessors. Wy. 65, 20 F
- 1219 *Miscellaneous regulations.* Assessments to begin *May 1* [formerly February 1]. Amending Okl. S. '93 ch. 70 art. 2 §3, 4. Okl. 28 art. 1, 10 Mr

- 1220 One assessment only for county and city purposes in cities of second class. Amending '97, 28. **Wy.** 77, 21 F
- 1221 **Return by taxpayers.** Supervisors and other assessing officers *shall* [formerly may] require oath to statement of taxpayers property. Amending '93, 206. • **Mich.** 239, 15 Je
- 1222 List of personal property to be made by taxpayer under oath, when required; penalty for evasion; reward for detection of fraud. **S. D.** 40, 3 Mr
- 1223 **Lists. Rolls. Books.** Assessors may add to list after notice to owner; time of notice amended as to New Haven. G. L. '88 §3812. **Ct.** 144, 31 My
- 1224 Amending schedule for listing of personal property ('95, 19). **Ind.** 215, 6 Mr
- 1225 Present ownership maps to be made by county recorder; copies to be given to county assessors. **U.** 43, 9 Mr
- 1226 Real estate list to be verified by oath before *magistrate* [formerly justice]. Amending Vt. S. §391. **Vt.** 15, 15 N '98
- 1227 Slightly amending R. S. '98 §1058 as to correction of errors in assessment roll. **Wis.** 323, 2 My
- 1228 Assessor to correct errors made in [formerly copying] preceding assessment roll. Amending R. S. '98 §1058. **Wis.** 351, 4 My
- 1229 **Assessment of real estate.** Law (R. S. ch. 6 §82) as to payment of taxes in unincorporated places applies to organized plantations assessed as wild land. Repealing '97 ch. 300 §5. **Me.** 131, 17 Mr
- 1230 Minerals and standing timber are real estate for purposes of taxation; tax a lien; sale may be enjoined; removal before payment of taxes a crime. **Minn.** 235, 17 Ap
- 1231 General act providing for reassessment of real estate. **W. Va.** 21, 22 F
- 1232 Real *or* personal property omitted inadvertently from assessment roll to be entered once for each year omitted. Amending R. S. '98 §1059. **Wis.** 50, 23 Mr
- 1233 **Lots. City realty.** Penalty for refusing to survey lands subdivided into lots and make plats thereof. Amending R. S. '89 ch. 138 art. 2. **Mo.** p. 325, 12 Ap
- 1234 **Personal property.** Assessment of stocks of goods, wares and merchandise amended (Code '96 §3911). **Ala.** p. 48, 23 F
- 1235 Amending payment of tax on chose in action; description only may be sent to state treasurer of any except bonds and notes secured by mortgages. Amending '97, 216. **Ct.** 222, 20 Je
- 1236 Personal property, where listed for taxation; collection of tax; lien. **Kan.** 248, 4 Mr



- 1237 Personal property in transit to point outside state to be assessed at point where it will leave state by ordinary route. Amending C. L. §3837. Mich. 32, 8 Ap
- 1238 Vehicles, the aggregate value of which is \$100 [formerly carriages exceeding \$50] to be taxed as personal estate. Amending P. S. '91 ch. 55 §7. N. H. 94, 11 Mr
- 1239 Personal property of parties doing business under adopted name to be taxed in such name; persons interested jointly liable. Amending R. S. '98 §1044. Wis. 229, 20 Ap
- 1240 Personal property includes *ice cut and stored*; to be assessed. Amending R. S. '98 §1036, 1040. Wis. 346, 3 My
- 1241 Mortgages. Repealing R. S. '87 §1425 providing that contract by which debtor agrees to pay taxes on money loaned, or mortgage, deed, or lien, shall be void. '93 p.13 reenacted to correct illegality in passage. Id. p. 215, 10 F
- 1242 Mortgage of not exceeding \$700 may be deducted from assessed valuation of real estate; statement to be transmitted to auditor of county in which mortgagee resides. Ind. 190, 4 Mr
- 1243 Submitting constitutional amendment: mortgages, contracts etc. by which debts are secured to be deemed an interest in property and taxed to holder; value of property less value of security taxed to owner; contracts to make debtor pay tax void. Vote November 1900. Mo. p. 383
- 1244 Grain. Grain in elevators to be assessed April 1 each year in name of owner of elevator; persons in charge to furnish statement; party assessed to have lien on grain if owned by another. N. D. 5, 8 Mr
- 1245 Referring to next legislature amendment to constitution authorizing taxing of grain in elevators and granaries. N. D. p. 259
- 1246 Live stock. Regulating assessment and taxation of live stock when kept or allowed to range in more than one county. '97 p.22 reenacted to correct illegality in passage. Id. p.298 1 F
- 1247 Taxes to be collected on transient herds. S. D. 44, 18 F
- 1248 Live stock brought into state for grazing to be taxed; duty of county clerk and assessor; tax to be paid in but one county though stock graze in more; distribution of taxes between counties. U. 44, 9 Mr
- 1249 Revision of law as to tax on migratory live stock. Wy. 20, 15 F
- 1250 Special classes. Taxing mineral lands; mode of assessment. Col. 132, 8 Ap
- 1251 Bridges over rivers on state line must be listed for taxation; valuation; penalty. Kan. 37, 6 Ja
- 1252 Providing for assessment and collection of taxes on land grants. N. M. 49, 15 Mr

- 1253 Property of water, electric light or gas companies in two or more municipalities or *school districts* to be placed on assessment rolls proportionately in each territory. Amending R. S. '98 §1037a. Wis. 283, 28 Ap

## Equalization and adjustment

- 1254 Local boards. Method of making complaint to county board of equalization; testimony; auditor to attend meetings. Amending '90-91 ch. 36 §7. Wy. 47, 17 F
- 1255 Board of relief must complete their duties by fourth Monday of February. Amending '95, 98. Ct. 143, 31 My
- 1256 City and municipal boards. Creating boards of equalization in cities of less than 10,000; to consist of mayor, alderman and city recorder. Minn. 116, 3 Ap
- 1257 City boards of equalization to meet on *fourth Monday in June* [formerly first in July]; finish work by *second Monday in July* [formerly second Tuesday in August]. Amending '95 ch. 8 §207-8. Minn. 275, 18 Ap
- 1258 State boards. Apportionment. State tax commissioner to receive *salary* [formerly fees]; minor amendments to '97 p. 521 relative to tax commissioners. Ala. p. 195, 21 F
- 1259 Powers of state board of equalization amended. Col. 84, 14 Ap
- 1260 Town clerk to transmit to controller in *April* [formerly March] abstracts of lists of boards of relief. Amending G. S. '88 §3864. Ct. 15, 17 Mr
- 1261 Increasing powers of state board of equalization. Amending '99 p. 254. Id. p. 452, 13 Mr
- 1262 Creating state board of three tax commissioners, term six years, salary \$2500; to have supervision of assessors, receive complaints, visit each county annually, report true value of corporation and other property; may add to or change assessment rolls; to hold six regular sessions each year. Amending '93, 206. Mich. 154, 23 Je
- 1263 Amending classification of property as laid before board of equalization by state auditor (R. S. '89 §7514). Mo. p. 323, 25 F
- 1264 Establishing new apportionment for assessment of public taxes in each town. N. H. 54, 9 Mr
- 1265 Act creating state board of equalization repealed ('97, 510). N. C. 53, 8 F
- 1266 Registers of deeds no longer to report transfers to state board of equalization. Amending '97 ch. 126 §46. N. D. 137, 9 Mr

- 1267 Amending duties of territorial board of equalization ('93 ch. 70 art. 7; '95 ch. 43 art. 1). Okl. 28 art. 3, 24 F
- 1268 State board of equalization abolished. Repealing '91 p. 182. Or. p. 15, 13 O '98
- 1269 County clerk to transmit to secretary of state a copy of *summary of assessment roll* [formerly copy of assessment roll]; contents of summary. Repealing Ann. L. '87 §2788. Or. p. 4, 6 F

**Collection**

- 1270 Collectors. County commissioners to determine compensation of collector. Amending '95, 285. N. J. 142, 24 Mr
- 1271 Commissioners of counties containing cities of less than 100,000 may appoint tax collectors for wards of those cities. Pa. 31, 10 Ap
- 1272 Procedure in collection and payment. Providing for publication of date after which taxes will be delinquent. Amending Code '96 §4007. Ala. p. 52, 23 F
- 1273 Treasurers to mail notice of amount of taxes to taxpayers. Col. 129, 6 Ap
- 1274 Tax papers may be served by *delivering to person named, posting copy on real estate or leaving at place named by owner or mortgagee*. Repealing '88 ch. 390 §33-34; '92, 168. Mass. 425, 27 My
- 1275 In towns and cities part, not less than 25% of taxes, and excepting poll tax, may be accepted and receipted for. Mass. 394, 23 My
- 1276 *Checks and bank drafts honored without deduction on presentation to operate as payment of taxes*; receiving officers not required to accept any tender except gold, silver, treasury notes, *gold or silver certificates or national bank notes*. Amending C. L. §1179. Mich. 228, 7 Je
- 1277 6% discount allowed for payment of taxes before due. N. J. 201, 24 Mr
- 1278 On request of nonresident property owner the tax collector shall notify him of amount of tax and time and place of payment. Amending '96 ch. 908 §70. N. Y. 342, 17 Ap
- 1279 Amending '97 ch. 28 §80 relating to receiver of state, county, city, etc. warrants in payment of taxes. S. D. 47, 1 Mr
- 1280 Taxes may be paid in two instalments. Amending Ann. S. '99 §2236. S. D. 42, 18 F
- 1281 Amending collection of taxes by collector and payment of funds into treasury (Vt. S. §482-83). Vt. 18, 10 N '98
- 1282 County treasurer shall certify statement of taxes due on property removed to other county, there to be collected and remitted back. Wash. 32, 6 Mr

- 1283 Minor amendments to R. S. '98 ch. 48 as to time of collecting taxes. Wis. 336, 3 My
- 1284 Refunds. Protests. Rebate. Claims against state for taxes erroneously collected to be allowed if presented two years after discovery of error. Amending Digest '94 §3224. Ark. 194, 8 My
- 1285 Accounts. Liability of collectors. Claims of counties and cities against state based on collection of taxes are invalid. Cal. 47, 4 Mr
- 1286 Abolishing fees from state to county and city officers for collecting ad valorem taxes. Cal. 86, 14 Mr
- 1287 County tax collector responsible only for taxes due for years for which he is chosen. Amending Code '95 §98. Ga. p. 41, 20 D '98
- 1288 Repealing R. S. '87 §1679 for compensation of county officers for collecting state revenue. Id. p. 439, 7 Mr
- 1289 State taxes to be paid to state treasurer by county treasurer by May 1 [formerly February 1, or for certain counties April 1]. Amending Ann. L. '87 §2813. Or. p. 85, 17 F
- 1290 Cities of less than 5000 to pay county ½% of taxes for expense of collection. Amending R. S. '98 §2695. U. 61, 9 Mr
- 1291 Payment of state tax by county treasurers on first Monday in February made uniform [formerly certain counties excepted]. Amending R. S. '98 §112. Wis. 164, 12 Ap

**Delinquent taxes. Tax sales**

- 1292 General. Minor amendment to '95 ch. 1 §24 as to assessment of lands escaping taxation. Fla. 2, 2 Je
- 1293 Delinquent tax lands to be subject to disposition, sale and redemption; auditor general may set aside sales made in contravention of law. Amending '93, 206. Mich. 169, 23 Je
- 1294 Taxes on improved lots in towns and villages a lien on land and buildings jointly and severally. Minn. 190, 13 Ap
- 1295 Taxes are delinquent unless paid by November 30 [formerly December 1]. Amending P. C. '95 §3860, 3866. Mon. p. 97, 7 Mr
- 1296 Collector of taxes in towns and municipalities except cities may receive in settlement of arrears of taxes the sum determined on by commissioners of adjustment. Amending '98, 193. N. J. 114, 23 Mr
- 1297 Personal taxes—general. Taxes a lien on personal property in hands of vendee; auditor to change name on tax list. Ia. 35, '92. Unconstitutional. Subject not expressed in title. Rex Lumber co. v. Reed, 107 Ia. 111.

- 1298 Township or city treasurer may seize for taxes personal property of person, *firm or corporation*. Amending C. L. §3870.  
Mich. 215, 1 Je
- 1299 List of delinquent personal taxes to be made on *fifth secular* [formerly first] day of April; *filling list in district court is prima facie evidence of regularity of levy and assessment*; delinquent may answer on *10th secular day following* [formerly April 15]. Amending '97, 79. Minn. 246, 18 Ap
- 1300 Personal property taxes become delinquent *February 1* [formerly March 1]; treasurer to deliver list to sheriff on or before *September 15* [formerly April 15]; *notice to be mailed to delinquents*; sheriff to make returns *December 15* [formerly January 1]; realty taxes become delinquent *February 1* [formerly March 1]. N. D. 134, 2 Mr
- 1301 Penalties and interest. Collectors to be held responsible for collection of penalty for nonpayment of taxes when due. Amending R. S. '89 §7605. Mo. p. 325, 16 F
- 1302 Notice of sale. Lists. Amending rate to be charged by newspaper for publishing notices of tax sales (Code '96 §4057). Ala. p. 53, 23 F
- 1303 County clerks to furnish to tax collectors delinquent lists; to be posted in three places in each collection precinct; collectors shall notify taxpayer of forfeitures. Ark. 174, 8 My
- 1304 Notice of sale of land for tax arrears to be published in any paper of county, if none is published in town; service of notice on corporation that has lien. Amending '96, 143. N. J. 132, 24 Mr
- 1305 Miscellaneous procedure in enforcing taxes. When writ of certiorari may be allowed in delinquent tax cases in townships and municipalities other than cities. Amending '98, 198. N. J. 58, 21 Mr
- 1306 Dockets of tax liens and certain of unpaid taxes to be made by prothonotaries of counties. Pa. 98, 28 Ap
- 1307 Duties of sheriffs as to tax executions amended (R. S. '93 v. 1 §353). S. C. 48, 28 F
- 1308 Liens for taxes expire in 10 years. S. C. 49, 28 F
- 1309 Duplicated tax executions may be issued to replace lost ones. S. C. 87, 3 Mr
- 1310 Buildings on city lots not to be removed till taxes are paid. S. D. 45, 6 Mr
- 1311 Timber claims must not be denuded before payment of taxes. S. D. 46, 6 Mr

- 1312 Costs of foreclosing tax certificate discretionary with court, never to exceed face of certificate; if defendant quit-claims or answers disclaiming title, costs shall not be recovered against him personally. Amending R. S. '98 §1181. Wis. 337, 3 My
- 1313 Tax sales. Commissioner of state lands to sell forfeited lands described as lots or blocks, outside of cities and towns. Ark. 193, 8 My
- 1314 Certificate of tax sale to be filed in 30 [formerly four] days. Amending '95 ch. 70 §5. Me. 76, 15 Mr
- 1315 Objections to petition for delinquent tax sale may be filed after day fixed for hearing if cause is shown to court within two [formerly five] days from that date; repealing legal rate for publishing petition. Amending C. L. §3889. Mich. 31, 6 Ap
- 1316 Possession of land sold for taxes: service to be made on grantee of last recorded deed in regular chain of title or mortgagee in all undischarged mortgages; notice on executors; publication when parties nonresident or unknown. Amending C. L. §3959-60. Mich. 204, 17 My
- 1317 When proceeds of tax sale are less than tax due, state tax shall be paid first and residue divided *pro rata* between funds for which levy was made [formerly equally between county and school funds]. Amending G. S. §1617. Minn. 35, 3 Mr
- 1318 Amending sales of real estate for taxes in cities of 30,000 to 100,000 (R. S. '89 §1372). Mo. p. 80, 24 My
- 1319 Sales for nonpayment of taxes in villages of 5000 amended ('97 art. 4 ch. 414). N. Y. 446, 27 Ap
- 1320 County recorder to make abstracts of records of tax sales. U. 76, 20 Mr
- 1321 Tax deeds. Blank tax deeds and certificates to be furnished by controller; notice of issuance of deed to be given to nonresident original owner by publication. Amending '95 ch. 1 §60-61. Fla. 1, 1 Je
- 1322 If property is not redeemed within two years from sale, collector must, on demand of purchaser, make deed to him. Amending '99 p. 254. Id. p. 376, 14 Mr
- 1323 Tax deed to be executed by auditor [formerly treasurer]; form. N. D. 155, 8 Mr
- 1324 Contest of sale. Refunding. If court declares tax sale void, money with interest is to be refunded to owner. Ari. 38, 14 Mr
- 1325 When by mistake land is sold for taxes, county is to repay owner the principal sum with interest at 8% [formerly 25%] a year. Amending Ann. S. '91 §2824. Col. 128, 4 Ap

- 1326 Tax deeds to be prima facie evidence of ownership in certain suits. Amending R. S. ch. 62. Mo. p. 207, 13 Ap
- 1327 Action to quiet title, cancel tax deed or for ejectment or injury to land barred in *three years* [formerly nine months] as to lands conveyed by tax deed void on its face. Amending R. S. '98 §1189a. Wis. 351, 4 My
- 1328 State and county tax lands. Auditor may contract with resident of county to represent state at tax sales; agent may be appointed in each county to care for and rent real estate bid in by state; sale of such lands by state. Ala. p. 120, 15 F
- 1329 County may dispose of real estate purchased for delinquent taxes. Id. p. 331, 6 F
- 1330 Auditor general to be made party defendant to proceedings to set aside delinquent tax sale of lands held as state tax lands. Supplementing '93, 206. Mich. 97, 1 Je
- 1331 Generally amending C. L. §3449-50, 3452-53, 3455 as to state tax lands; deemed abandoned if delinquent five years without attempt to redeem or set aside tax and if unoccupied by person having record title; state's title absolute in *five* [formerly three] years. Mich. 107, 8 Je
- 1332 Levy on land to be released if owner deeds to state. Amending C. L. §3870. Mich. 215, 1 Je
- 1333 Title to lands heretofore sold for taxes to levee board remaining unredeemed Jan. 1, 1878, shall vest in state, and levee taxes thereon shall be suspended till such lands are sold or donated by state. Miss. ch. 105 §13, '76. Void, so far as it attempts to discharge the lands of the lien of the levee tax, so long as obligations of the levee board are unpaid; impairs obligation of contracts. Forsdick v. Board of levee commissioners, 26 So. 637.
- 1334 Property deeded to county at delinquent tax sale may be sold without newspaper publication when assessed value is less than \$500 [formerly \$100]. Nev. 57, 11 Mr
- 1335 When lands have been bought by city for unpaid taxes and where taxes are worth more than lands, city may effect compromise settlement with former owners. Amending '86, 112. N. J. 195, 24 Mr
- 1336 Lands bid in for state or county for delinquent taxes may be sold at public or private sale as county commissioners may direct. N. D. 139, 2 Mr
- 1337 Cities, villages and towns may buy tax sale certificates of county; limitation. S. D. 48, 6 Mr
- 1338 Real estate not sold for delinquent taxes shall be bought by county treasurer and placed on separate tax roll; private sale allowed for full amount of taxes and costs; two years to redeem. Wy. 66, 20 F

- 1339 **Redemption.** Redemption of real property sold for taxes amended ('94 ch. 4 §6). Col. 130, 28 Ap
- 1340 Misdemeanor for clerk of circuit court to neglect duties as to redemption of land sold for taxes. Amending 95 ch. 1 §57. Fla. 3, 20 My
- 1341 Who may redeem real estate sold at tax sale. Ga. p. 85, 20 D '98
- 1342 Warrant for excess above taxes to be drawn on surrender of certificate of sale; or on affidavit that certificate is lost; bond required when amount exceeds \$5. Amending G. S. §1605. Minn. 208, 14 Ap
- 1343 Penalty on redeeming land to be 5% of amount paid by purchaser [formerly of original taxes]. Amending '97 ch. 126 §82. N. D. 136, 24 F
- 1344 Lands sold for taxes due cities and towns may be redeemed in two years; purchaser at foreclosure not to have possession for two years. Tex. 40, 20 Mr
- 1345 Land sold for city taxes may be redeemed in three years, with interest at 15%. Wis. 94, 30 Mr

### Special forms of taxation

(See also Road taxes, 3290; Liquor licenses, 63; Peddlers, 4301)

- 1346 **Poll taxes.** Collectors to retain fee for collecting. Ari. 7, 18 F
- 1347 Abolishing poll tax. Amending R. S. '93 ch. 10 §10. Del. 185, 23 Mr
- 1348 Tax collector to make monthly report of poll taxes paid. Fla. 5, 2 Je
- 1349 Cities may levy a poll tax of \$1 [formerly 50c]. Amending Ann. S. '97 §3156. Ind. 224, 6 Mr
- 1350 Poll tax from \$1 to \$3. Amending R. S. ch. 6 §1. Mo. 57, 10 Mr
- 1351 Poll tax of \$1 a year to be levied; proceeds for schools. S. C. 90, 6 Mr
- 1352 Cities and towns may levy. S. D. 119, 6 F
- 1353 Cities may levy poll tax of \$1.50. Amending R. S. '98 subdiv. 136 §925. Wis. 211, 19 Ap
- 1354 **Inheritance taxes.** Inheritance tax on bequest to brother, sister, niece or nephew. Amending '97, 83. Cal. 85, 14 Mr
- 1355 10% inheritance tax to be paid on property received by foreign heirs, for benefit of charity hospital in New Orleans. La. 130, '94. *Unconstitutional.* Act is one concerning revenue and should have originated in house; originated in senate. Succession of Glvanovich, 24 So. 679.



- 1356 Tax of 1% on inheritances and gifts of personal property over \$5000 to near relatives; 5% on all property over \$500 to others. Mich. 188, 2 My
- 1357 Collateral inheritances taxed 5%; proceeds for support of state university and for public educational purposes. Mo. p. 328, 19 Ap
- 1358 Establishing direct inheritance tax (besides collateral) of 2% on personal property above \$5000; collection, etc. Pa. 47, '97. *Unconstitutional*. Exemption of \$5000 violates provision that all taxes shall be uniform on same class of subjects. *In re Cope's estate*, 43 A. 79.
- 1359 Taxing gifts and inheritances of personal property over \$10,000 5%; immediate relatives 1%. Wis. 355, 4 My
- 1360 Minor amendment to '97 ch. 293 §16 relating to probate judge's reports of inheritances. Minn. 201, 18 Ap
- 1361 Amending appointment of appraisers by surrogate for property subject to inheritance tax ('97 ch. 284 §230). N. Y. 76, 14 Mr
- 1362 Authorizing the appointment by surrogate of special guardians of infants interested in transfer tax proceedings. Amending '97 ch. 284 §232. N. Y. 672, 25 My
- 1363 Limitation of time of enforcing a civil remedy not to apply to action to enforce collection of tax on transfers. Amending '96, 908. N. Y. 737, 26 My
- 1364 Incorporation fees and taxes. (*See also* Corporations, 880) Amending organization tax of joint-stock corporations. Ct. 227, 20 Je
- 1365 Minor amendments to '95 p. 132 regulating fees for incorporation and for increase of capital stock. Ill. p. 117, 24 Ap
- 1366 Amending fees for filing of certificates of incorporation. N. M. 77, 16 Mr
- 1367 Bonus to be paid state on capital stock of new corporations and increase of capital of old corporations; exceptions. Pa. 120, 3 My
- 1368 Incorporation fee of \$10 to \$500 established; charitable, educational and religious corporations exempt when under general law; fee \$10 when by special act. Vt. 19, 29 N '98
- 1369 Corporation taxes—general. Telegraph, electric light, express, gas, sleeping car, insurance, etc. companies hereafter incorporated shall pay annual gross receipts tax; exceptions; report to state treasurer; charter void if two years taxes are unpaid; retaliatory taxation. Del. 166, 10 Mr
- 1370 Water power companies may elect to pay 1% tax on capital stock in lieu of real estate general taxes. Amending C. L. §6797, 6802. Mich. 231, 9 Je

- 1371 Franchises in streets to be considered "real estate" for purposes of taxation; value of franchise to include value of all tangible property in any street or public place and to be determined annually by state board of tax commissioners; other real estate to be assessed as formerly by the local assessors; all special taxes paid by companies to communities to be deducted from the franchise tax. Amending '96, 908. N. Y. 712, 26 My
- 1372 Electric railway, light or power companies are of first or second class as their gross annual receipts are over or under \$500,000 [formerly \$800,000]; first class license fee  $\frac{1}{4}\%$  [formerly varying from 3% to 4%] second class 2% [formerly  $1\frac{1}{2}\%$  to  $2\frac{1}{2}\%$ ]; varying apportionment of fees to county, state and municipalities; *power companies not connected with street railways exempt from fees but subject to general tax laws.* Amending R. S. '98 §1222. Wis. 354, 4 My
- 1373 Foreign corporations taxed \$100 for privilege of doing business; insurance company's payment of fees to be credited as part. Tenn. 431, 24 Ap
- 1374 Minor amendment to Code '96 §3911 relating to taxation of shares of corporation stock. Ala. p. 46, 21 F
- 1375 Banks, insurance companies, turnpike companies etc. to have lien on stock of nonresident stockholder for payment of taxes on stock [formerly lien to the extent of 1%]. Amending G. L. '88 §3917. Ct. 178, 14 Je
- 1376 Manner of listing property of companies, other than railroad, insurance, telegraph and banking companies, for taxation. Minn. Statutes §1530, '94. *Void*, as to provision for deducting indebtedness of company from value of its stock; results in inequality of taxation. *State v. Duluth gas and water co.* 78 N. W. 1032.
- 1377 Limitation of time of enforcing civil remedy not to apply to action to enforce collection of tax on corporations. Amending '96, 908. N. Y. 737, 26 My
- 1378 *Waterworks, electric light and gas plants and franchises* subject to reassessment when collection of tax has been judicially prevented. Amending R. S. '98 §1087. Wis. 351, 4 My
- 1379 **Banking institutions.** All corporation property *except that of national banks exempt by federal law* shall be taxed; national bank stock taxed to holder, with same deductions as to holders of solvent credits; deduct proportionate value of bank's real estate and exempt property; same rate as other capital; assessor's notice to bank only; bank liable for tax when stockholder has no real estate. Amending P. C. §3608. Cal. 80, 14 Mr

- 1380 License on bankers, etc. doing business of \$200,000 to \$250,000 a quarter repealed. Amending R. S. '87 §1645. '97 p. 9 re-enacted to correct illegality in passage. Id. p. 292, 16 F
- 1381 Foreign banks to pay tax of  $\frac{1}{4}\%$  on business in state; report to bank examiner. Me. 123, 17 Mr
- 1382 Bank's investment in real estate [formerly assessed valuation thereof] to be deducted from aggregate amount of capital, surplus and undivided profits; remainder to be basis for taxation. Amending '97 ch. 126 §26. N. D. 29, 6 Mr
- 1383 Exempting from taxation certain notes and mortgages of building and loan associations. Okl. 6, 24 F
- 1384 Insurance companies. State tax of 2% on gross premiums of companies other than life. Ill. p. 265, 19 Ap
- 1385 Companies of other states shall pay a 2% tax on business done in state; those of foreign countries 4%. Kan. 25, 3 Ja
- 1386 Contracts for insurance of property made with companies not authorized to do business in state are to be taxed; three fifths to go to state insurance department, two fifths to city fire department. Kan. 249, 3 Mr
- 1387 In computing for taxation gross amount of premiums of foreign fire insurance companies, return premiums on canceled policies may be deducted, if similar provision in state where company is organized; reinsurance premiums not to be deducted. Amending C. L. §7257. Mich. 118, 15 Je
- 1388 Annual license for casualty and surety companies \$20. Amending '81 ch. 37 §14. Nev. 92, 14 Mr
- 1389 Foreign fire and marine insurance companies to pay 2% [formerly 1%] tax on gross premiums less return premiums and reinsurance; \$2000 of this tax to be set aside for relief of firemen. Amending P. S. '91 ch. 169 §14. N. H. 64, 10 Mr
- 1390 Tax of 2% on premiums of all insurance companies [formerly 3% outside United States] due March 1; penalty for delinquency \$25 [formerly \$100] a day. Amending '97, 55. Wash. 145, 15 Mr
- 1391 Owner who insures with unlicensed company or with licensed company but through agents not resident in his city, town or village and not having filed bond to pay 2% of collected premiums shall be liable to city etc. for such percentage. Amending R. S. '98 §1926. Wis. 32, 21 Mr
- 1392 Life insurance companies except fraternal orders to pay license fees; if organized in state and not purely assessment 1% of gross income, outside state 1% of all premiums; all others \$300 a year; [formerly all paid \$300 and 2% of cash premiums]. Amending R. S. '98 §1220. Wis. 326, 1 My

- 1393** In addition to present taxes, insurance companies, except fraternal organizations, must pay 2% of premiums on lapsed policies; report of all premiums and lapsed policies. **Wy.** 60, 18 F
- 1394** Transportation and communication corporations. Value of railroad property to be ascertained by railroad commissioners on first Monday in *June* [formerly August]; property to be assessed first Monday in *May* [formerly July]; companies to report miles of track first Monday in *May* [formerly July] biennially. Amending Digest '94 §6465-67. **Ark.** 139, 4 My
- 1395** Amending G. L. '88 §3931 regulating manner of determining market value of railroad stocks for taxation. **Ct.** 171, 9 Je
- 1396** Spurs and side tracks not returned by company for taxation to be assessed. **Fla.** 4, 3 Je
- 1397** Creating state board of assessors; to tax railroad, express, telegraph and telephone companies at average rates of state, county and municipal taxes; franchises to be considered; companies to report stock, property and gross receipts; tax to be applied to interest on educational funds and interest and principal of state debt; board to give entire time; salary \$2500. **Mich.** 19, 15 Mr
- 1398** Telegraph and telephone lines to be taxed at cash value at rate equal to average of general, municipal and local taxes in the state, in lieu of all other taxes. **Mich.** 168, '81. *Unconstitutional*. Not within uniform rule of taxation prescribed for other property. *Pingree v. Auditor general*, 78 N. W. 1025.
- 1399** Express, telegraph and telephone companies taxed 3% of gross receipts, in lieu of all other except tax on real estate not occupied in exercise of franchise; lien to state on property and stock. **Mich.** 179, 23 Je
- 1400** Express companies failing to apply for license shall forfeit \$50; taxes due *September 1* [formerly May 1]. Amending '93, 235; '95, 40. **Me.** 109, 17 Mr
- 1401** Minor amendment to '97 ch. 160 §5 as to taxation of freight and equipment companies. **Minn.** 135, 7 Ap
- 1402** State tax on express companies 5% [formerly 3%] of gross receipts. Amending '97 ch. 309 §6. **Minn.** 317, 20 Ap
- 1403** Taxation of bridges amended (R. S. '89 §7755). **Mo.** p. 327, 19 Je
- 1404** State tax of 2% on value of cars not belonging to railroad companies; mode of assessment. **Mo.** p. 246, '95. *Unconstitutional*. Imposes a property tax in excess of constitutional limit. *State v. Stephens*, 146 Mo. 662.
- 1405** Submitting amendment to constitution providing for assessment by state board of equalization of franchises and property of all companies carrying persons, property or messages. *Vote November 1900*. **N. D.** p. 261

- 1406 Tax of 8 mills on gross receipts of express business in addition to present tax on capital stock; minor amendment to examination of books of corporations to verify returns for taxation. '79 ch. 122 §12. Pa. 66, 28 Ap
- 1407 Bounty received by state from foreign railway corporations, to be paid to counties through which lines run; procedure. Pa. 176, 11 My
- 1408 Taxing express, sleeping car, freight line and equipment companies; assessments to be made by state board; annual reports from companies. Wis. 111-14, 31 Mr  
Amended. Wis. 149, 10 Ap; 277, 27 Ap
- 1409 Repealing R. S. '98 §1042a relating to taxation of water craft. Wis. 303, 1 My
- 1410 Assessors to report to railroad commissioner names of steam and electric roads; roads to report earnings March 10 [formerly February 10]; license to operate *if statement approved by commissioner*. Amending R. S. '98 §1010, 1211-12. Wis. 308, 1 My
- 1411 Business taxes. Generally amending revenue law as to license taxes on industries and occupations. Ala. p. 164, 23 F
- 1412 Tax on gross incomes of gas and electric light companies and cotton pickeries abolished. Amending Code '96 §3912. Ala. p. 50, 8 F
- 1413 Repealing R. S. '87 §1649 for licensing merchants and keepers of livery stables. '95 p. 6 *reenacted to correct illegality in passage*. Id. p. 231, 14 F
- 1414 License required for merry-go-rounds or steam riding galleries. Me. 59, 11 Mr
- 1415 Annual tax of \$2 and 1 mill on gross receipts of retail dealers in merchandise; \$3 and ½ mill on wholesale dealers; 2½ mills on exchange and board of trade dealers; appointment of mercantile appraisers in counties and cities. Pa. 118, 2 My
- 1416 Revision of law as to taxes on occupations and business. 43p. Tenn. 2432, 24 Ap
- 1417 Trading stamp companies to pay \$500 privilege tax in each county; firms using \$250. Amending '97, 2. Tenn. 27, 3 Mr; 207, 7 Ap
- 1418 Repealing '97 ch. 18 subdiv. 14 (special) imposing occupation tax on physicians, veterinarians and medical specialists. Tex. 180, 5 Je
- 1419 Licenses on distilleries and breweries to be *coextensive with the state*. Amending C. '91 ch. 32 §54. W. Va. 40, 24 F

Local finance<sup>a</sup>

## Taxes

- 1420 School tax not to exceed 2 1-2% [formerly 2%] for educational purposes and 2 1-2% [formerly 3%] for buildings; other amendments to '98 p. 54 regulating tax levy.  
Ill. p. 350, 12 Ap; p. 350, 21 Ap
- 1421 Limiting taxation in unorganized regions and reservations.  
Okl. 28, art.2, 10 Mr
- 1422 Referring to next legislature constitutional amendment authorizing legislature to limit taxation in counties and towns. *Not repassed by legislature of 1899.*  
Wis. j. r. 17, '97
- 1423 County. Limiting amount of tax levies for county purposes; counties classified for purposes of this act. Col. 133, 8 Ap
- 1424 Amending '97 ch. 99 §5 as to amount of taxes, expenditures and county warrants in newly organized counties.  
Minn. 104, 29 Mr
- 1425 Amending taxes which may be levied by counties ('93 p. 219).  
Mo. p. 326, 3 My
- 1426 County commissioners may levy for county purposes tax of \$2 [formerly \$1.50] on each \$100 in certain counties. Amending '95, 24.  
Nev. 21, 4 Mr
- 1427 City. Submitting constitutional amendment to ratify special tax for public improvements voted by New Orleans June 6, 1899. *Vote April 1900.*  
La. 4, 18 Ag
- 1428 Amending tax levy for the various funds in cities of 2500; other regulations. Amending '97 ch. 6 art. 5. Okl. 8 art. 1, 10 Mr
- 1429 Total city tax not to exceed 3 1-2% [formerly 3%] of assessed valuation. Amending R.S.'98 §325 subdiv. 142a. Wis. 262, 26 Ap
- 1430 Villages. Villages incorporated under special acts may levy taxes under general laws.  
Minn. 224, 14 Ap

## Debts. Bonds

- 1431 Authorization. Limit. Any precinct, township, city of 1000 to 25,000, or village may issue bonds, the rate of interest not to exceed 6% [formerly 8%]; other amendments to C. S. '97 §3518-20.  
Neb. 49, 24 Mr
- 1432 Towns and villages incorporated under C. L. '97 §2476-92 may issue bonds to \$40,000 for waterworks, sewers and street improvement.  
N. M. 78, 16 Mr

<sup>a</sup> Only the purely financial matters are here placed. Authorization of taxes, assessments, bonds, etc. for special municipal purposes—schools, libraries, lights, streets, etc. are classified under these heads. They are however also indexed under Taxes, etc. Miscellaneous provisions as to assessment and collection of taxes in local bodies are under Taxation, as such provisions usually apply to all classes of taxes. Provisions relating to election, term of office, etc. of financial officials are under Local government, but those relating solely to their financial duties are placed here. See particularly Special assessment, 3036; School finance, 236.

- 1433** Submitting constitutional amendment limiting county, municipal and school district debt to 5% of valuation. *Vote June 1900.*  
Or. p. 143, 18 F
- 1434** Indebtedness hereafter created by any civil division in excess of constitutional limitation void; officers contracting indebtedness personally liable.  
Wy. 89, 21 F
- 1435** Sinking fund. Redemption. County and city treasurers to annually report to controller of public accounts condition of interest and sinking fund.  
Tex. 35, 15 Mr
- 1436** Miscellaneous regulations. General regulations under which municipal coupon bonds may be issued. '90-91 p. 53; '95 p. 70 reenacted to correct illegality in passage. Id. 29, 2 F
- 1437** Municipal corporations, parishes and drainage districts, New Orleans excepted, may, on petition of one third of the property taxpayers in number and amount, submit proposition to issue bonds; regulations of the election; sinking fund. La. 5, 18 Ag
- 1438** Bonds of any county, city, township, etc. to draw not more than 6% [formerly 7%] interest. Amending C. S. '97 §3504.  
Neb. 48, 22 Mr
- 1439** Unlawful for commissioners' courts or city councils to issue bonds without submitting question to property taxpayers.  
Tex. 67, 12 Ap; 149, 26 My
- 1440** Funding. Refunding. Towns and cities may refund bonded debts.  
Fla. 51, 11 My
- 1441** Amending R. S. '89 §836-37; '97 p. 39 relating to funding of counties, cities, etc.  
Mo. p. 48, 9 My
- 1442** Council of city of the second class, trustees of any village and any county board may refund bonded indebtedness; notice; appeal; interest.  
Neb. 8, 24 Mr
- 1443** Incorporated cities, towns, townships, villages and boroughs may issue bonds to fund their floating indebtedness and maturing bonds.  
N. J. 110, 23 Mr
- 1444** Providing for refunding of indebtedness of counties and municipalities.  
N. M. 58, 16 Mr
- 1445** Amending the refunding of bonded indebtedness by counties, cities of less than 100,000, boroughs and school districts ('81 ch. 10 §1, 2. Pa. 2, 1 Mr
- 1446** Counties, cities, towns, townships and other municipalities may issue bonds to refund or pay bonded indebtedness; other amendments. Amending '97, 232. S. C. 43, 3 Mr
- 1447** Temporary. Cities, towns, townships, boroughs and villages may borrow money in anticipation of collections of taxes; restriction.  
N. J. 21, 13 Mr

- 1448 **County.** Generally amending '95, 67 for refunding county indebtedness. Col. 90, 18 Ap
- 1449 May issue bonds in satisfaction of judgments rendered, if no funds are in treasury; election; regulations. Col. 97, 3 My
- 1450 County commissioners may issue negotiable coupon bonds for funding or reducing interest on county indebtedness; vote of electors required for certain bond issues; regulations; special election. Amending R. S. '87 §3602-7. '95 p. 56 reenacted to correct illegality in passage. Id. p. 136, 7 F
- 1451 May bond present debts. Minn. 259, 18 Ap
- 1452 Minor amendment to P. C. '95 §4241 relating to execution of county bonds; fac-simile of signatures may be affixed to coupons. Mon. p. 133, 22 F
- 1453 Minor amendment to C. S. '97 §676 relating to registration of county bonds with state auditor. Neb. 7, 30 Mr
- 1454 Providing for refunding of indebtedness of counties. N. M. 58, 16 Mr
- 1455 Bonds for refunding county debts are to run from five [formerly 10] to 20 years; other amendments to '93 ch. 51 §1. S. D. 55, 6 Mr
- 1456 Constitutional amendment permitting counties to refund indebtedness outstanding January 1, 1890, though created in excess of constitutional limitation. Vote November 1900. Wy. j. r. 176, 16 F
- 1457 **Cities. Towns.** Cities under 100,000 may refund indebtedness by serial bonds; conditions. Cal. 82, '97. Partly void. §4 is unconstitutional in so far as it attempts to repeal '93, 48; defective title. City of Los Angeles v. Hance, 122 Cal. 77.
- 1458 Cities over 50,000 may issue bonds to pay existing floating debts. Minn. 50, 10 Mr
- 1459 Slightly amending '95 ch. 8 §126 as to limitations on indebtedness of cities. Minn. 319, 20 Ap
- 1460 Cities of 50,000 may issue certificates of indebtedness in anticipation of taxes for any funds named in estimate. Minn. 327, 20 Ap
- 1461 Minor amendments to '98 ch. 87 §1 relating to sinking fund commission in cities. N. J. 19, 9 Mr
- 1462 Cities of first class may issue bonds for opening streets, building waterworks, sewers, etc.; penalty for misappropriation of funds. N. M. 68, 16 Mr
- 1463 Submitting constitutional amendment: when city includes more than one county, debt of the counties not to be reckoned as city debt in determining limit of city indebtedness. Adopted November 1899. N. Y. p. 1601, 22 Ap



- 1464 Cities and towns *may* [formerly shall] issue bonds for water-works, electric lights, sewerage and gas. Amending '97, 320.  
S. C. 33, 3 Mr
- 1465 Cities and towns of 45,000 before contracting debt beyond income for current year, except for light, water and sewerage, must declare their intention by two-thirds vote in council; must affirm this declaration by two-thirds vote of electors and must submit the proposition to legislature for approval.  
S. C. 35, 15 F
- 1466 City councils may issue bonds to refund debt; regulations.  
S. D. 51, 16 F
- 1467 Treasurer of cities of 150,000 may receive in advance taxes not exceeding probable amount to be collected, issuing negotiable receipts payable January 15 with interest at current rate.  
Wis. 252, 26 Ap
- 1468 Villages. Villages having present unbonded debt of over \$3000 may issue bonds to pay same. Minn. 223, 14 Ap
- 1469 Villages may renew matured and maturing bonds.  
N. J. 113, 23 Mr
- 1470 Townships. Town boards may issue 5% 20 year bonds to pay judgments of over \$1000 on the town. Amending '90 ch. 569 art. 7.  
N. Y. 57, 8 Mr
- Miscellaneous—audit, account, etc.**
- 1471 General. County, town, city and school orders and warrants to bear interest at 6% [formerly 8%]; exception. Amending '80 p. 206 §4.  
Col. 107, 22 Mr
- 1472 Treasurer of county, city, town or school district failing to call warrants promptly is guilty of misdemeanor. Col. 156, 4 Ap
- 1473 Receipt of county and city warrants in payment of taxes amended (R. S. '89 §3205). Mo. p. 141, 24 My
- 1474 Designating the funds into which moneys recovered from forfeitures on penal bonds and taxes delinquent prior to 1896, shall be paid.  
N. M. 13, 16 F
- 1475 Limiting the deposit of public funds in banks. Repealing '89 169.  
Ct. 213, 20 Je
- 1476 County—appropriations, expenditures. Commissioners of counties of 200,000 to itemize tax levy showing purposes and amounts; treasurer shall apportion to several funds; emergency fund; misdemeanor to vote expense in excess of fund set aside.  
Minn. 31, 27 F
- 1477 Minor amendment to G. S. §2008 relating to apportionment of county revenues.  
Nev. 29, 6 Mr
- 1478 County—audit of claims, accounts. Counties to furnish free blank statements and affidavits for all claims against county; no fee to auditor for swearing.  
Ind. 114, 27 F

- 1479 County auditors to publish in newspaper a statement of all allowances made by circuit, superior and criminal court judges and boards of county commissioners. **Ind.** 186, 4 Mr
- 1480 Amending time of filing claims against county ('97 ch.12 art.8 §2). **Okl.** 11 art. 3, 10 Mr
- 1481 No person indebted to county for costs, fines, taxes etc. shall be entitled to witness fees, road damages etc. **Pa.** 80, 28 Ap
- 1482 When claim disallowed by county board is appealed to circuit court, proceedings to be had as in actions brought [formerly court to try issue]. Amending R. S. '98 §685. **Wis.** 351, 4 My
- 1483 County commissioners of accounts shall compare canceled county and school warrants with statements of collecting officers, make itemized report and burn. **Ark.** 118, 14 Ap
- 1484 Auditor and treasurer of county to publish in newspaper a summary of their quarterly financial statement. Amending R. S. '87 §2010. '95 p. 13 reenacted to correct illegality in passage. **Id.** p. 233, 14 F
- 1485 Annual financial statement of counties amended (R.S.'89 §3187-88). **Mo.** p. 140, 10 My
- 1486 Abolishing publication by county court of abstract of expenditures. Repealing R. S. '89 §2433. **Mo.** p. 158, 6 My
- 1487 Amending certificate of settlement given to tax collector by county treasurer and its effects ('96 ch. 908 §88). **N. Y.** 321, 17 Ap
- 1488 County auditor to send *one* [formerly two] copy of his monthly report to state auditor, *one to state treasurer* and one to county treasurer. Amending R. S. '98 §2666. **U.** 73, 9 Mr
- 1489 Itemized statement of county finances, *showing names of payees and amounts*, shall be published; clerk failing to prepare same to be fined \$100 to \$500 [formerly \$50]; *every member of county court neglecting shall be fined \$50 to \$100; prosecuting attorney to prosecute*. Amending Code '91 ch. 39 §35. **W. Va.** 52, 24 F
- 1490 County—funds, deposit. Generally amending '95, 3 establishing fine and forfeiture fund in counties. **Fla.** 11, 3 Je
- 1491 Receipts from poll taxes to go to current expense fund. Amending R. S. '87 §1619. **Id.** p. 367, 14 Mr
- 1492 All interest and penalty collected on taxes shall become part of general fund *or such other fund as county commissioners may direct*. Amending '97 ch. 126 §75. **N. D.** 4, 24 F
- 1493 County treasurers to deposit funds in national banks *or safe deposit and trust companies in state*. Amending P. S. ch. 23 §18. **Mass.** 108, 28 F
- 1494 Funds may be deposited in banks of adjoining counties in certain cases. Amending '91 p. 103; '95 p. 126; R. S. '89 §3216. **Mo.** p. 135, 23 My

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- 1495 Deposit not to exceed capital of bank *except in counties where county deposits exceed the capital of all banks of county*. Amending R. C. '95 §1943. N. D. 63, 9 Mr
- 1496 County—warrants. Regulating the issuing of county warrants. Amending R. S. '87 §2009. Id. p. 397, 28 F
- 1497 Treasurer to post notice of warrants payable on presentation. Id. p. 434, 2 Mr
- 1498 Repealing '93 p. 131 authorizing county courts to pay warrants in certain cases. Mo. p. 142, 16 My
- 1499 Warrants not paid for want of funds shall draw interest at 6% [formerly 7%]. Amending P. C. '95 §4250, 4353. Mon. p. 99, 20 F
- 1500 Cities. Towns. Residue after completion of specific improvements in cities and towns to be paid to general funds. Cal. 91, 16 Mr
- 1501 Unlawful for board of town trustees or city council to allow claims except at regular or special session, after claim, itemized and verified, has been five days on file on claim docket; clerks authorized to administer oaths; act inapplicable to cities of over 35,000. Ind. 59, 22 F
- 1502 *In cities of under 20,000* unpaid city orders draw such interest [formerly legal rate] *as council may direct, not over 6%*. Ind. 64, 22 F
- 1503 After notice that part of money due from city is payable on application, interest not to run on such part; creditor's right to larger sum not affected. Mass. 394, 23 My
- 1504 Contents of annual financial statement of cities slightly amended (R. S. '98 §231). U. 20, 7 Mr
- 1505 Mayor of certain cities of 3000 to 30,000 may veto any item of general appropriation bill. •Amending R. S. '89 §1537. Mo. p. 83, 17 My
- 1506 No action maintainable on any claim *of any kind whatsoever* unless presented to city council and disallowed. Amending R. S. '98 §925 subdiv. 58. Wis. 127, 8 Ap
- 1507 Cities of 150,000 may borrow from any fund for benefit of any other. Wis. 256, 26 Ap
- 1508 Townships. After notice that part of money due from town is payable on application, interest not to run on such part; creditor's right to larger sum not affected. Mass. 394, 23 Wy
- 1509 Funds held by town in trust may be invested in United States bonds or municipal bonds in which savings institutions and trust companies may invest, or may be deposited in savings banks. Amending Vt. S. §3035. Vt. 54, 25 O '98

## Property and contract rights

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- 1510 Claim against town may be allowed in part without prejudice to claimant's rights as to part disallowed. Amending R. S. '98 §823. **Wis.** 85, 30 Mr
- 1511 Town meetings to vote whether town orders shall bear interest; rate to be written in order; not less than 6% nor over 8%. Amending R. S. '98 §776, 823. **Wis.** 325, 2 My
- 1512 Repealing R. S. '98 §1108-9 allowing towns to extend time of tax warrants. **Wis.** 336, 3 My

## Property and contract rights

(For all laws relating to actions at law concerning such rights, see Civil procedure, 2113)

### Possession and transfer

(Provisions relate chiefly to real property. See also Aliens, 540)

#### Ownership. Title. Boundaries

- 1513 Titles. Penalty for making false abstract. **Ala.** p. 19, 15 F
- 1514 Abstracters to register with probate judge and give bond: '97 p. 92 reenacted to correct illegality in passage. **Id.** p. 314, 18 F Amended. **Id.** p. 456, 14 Mr
- 1515 Abstracters to give bond, and receive certificate; charges fixed. **Okl.** 1, 10 Mr
- 1516 Titles to real property vested in one who has had open, adverse and undisputed possession for 10 years and has paid all taxes are valid. **N. D.** 158, 8 Mr
- 1517 No title to public grounds acquired by occupancy. **Minn.** 65, 18 Mr
- 1518 Public right of way not used for six years to be deemed abandoned. Amending '90 ch. 568 §99. **N. Y.** 622, 18 My
- 1519 Title to real estate held for public purposes can not be acquired by adverse possession. **U.** 38, 9 Mr
- 1520 Irregularity in proceedings relating to estate of deceased not to avoid sale of land made and confirmed more than 30 years before action begun. **Wis.** 185, 14 Ap
- 1521 Legal title of property which escheats to state shall be in state from time of escheat; prosecuting attorney to sue for recovery. **Wy.** 85, 21 F
- 1522 Boundary lines. Plats. Cost of reestablishing lines shall be taxed against land of person requesting. **Mich.** 248, 15 Je
- 1523 Minor amendments to G. S. §697 relating to reestablishment of section posts. **Minn.** 126, 3 Ap
- 1524 Plats of additions to villages and cities under 10,000 not to be recorded till accepted by council. **Minn.** 168, 11 Ap

- 1525 Minor amendment to '95 ch. 105 §15 relating to party walls in cities of 100,000 to 1,000,000. Pa. 72, 58 Ap
- 1526 **Miscellaneous.** Taxpayers on unimproved lands declared in possession when they have paid taxes for seven years. Ark. 66, 18 Mr
- 1527 When deed to part of town site is lost and record can not be found mayor may grant deed to occupant; adverse claims to be first settled in courts. Amending R. S. '87 §2214. '91 p. 201 reenacted to correct illegality in passage. Id. p. 141, 7 F
- 1528 Amending C. C. P. '95 §592 as to property held in joint tenancy. Mon. p. 134, 28 F
- 1529 An unpublished, undedicated or copyrighted dramatic or musical composition not to be used for profit without consent of owner. N. Y. 475, 2 My
- Acquisition. Conveyances.** (See also Mortgages, 1599; Property of married women, 1566)
- 1530 **Acknowledgments.** Acknowledgments may be taken in *Indian territory or United States possessions or dependencies* before any court having seal or commissioner appointed by governor. Amending Digest '94 §708. Ark. 150, 8 My
- 1531 Legalizing instruments affecting land titles without seals or witnesses. Minn. 76, 20 Mr
- 1532 Execution of deeds and conveyances amended (R. S. '89 §2401). Mo. p. 114, 11 My
- 1533 Minor amendment to contents of certificates of acknowledgment (R. S. '89 §2408). Mo. p. 114, 29 My
- 1534 Act respecting conveyances amended as to form of deed and meaning of various terms ('98, 232). N. J. 208, 24 Mr
- 1535 Relating to probate of deeds and other instruments; proof of acknowledgments; examination of married women as to free assent; forms. Amending certain sections of Code. N. C. 235, 23 F
- 1536 Party to instrument not to take acknowledgment thereto. N. D. 2, 6 Mr
- 1537 Providing form of acknowledgment of instruments of corporations. Tenn. 187, 27 Mr
- 1538 Curing defective acknowledgments of deeds of trust. Va. 542, '93-94. Void in so far as it attempts to displace judgment creditors' lien; impairs obligation of contracts. Merchants' bank v. Ballou, 32 S. E. 481.
- 1539 Foreign deeds defective in certificate legalized if otherwise conforming to law. Wy. 8, 7 F
- 1540 **Recording officers.** Term of commissioners of deeds *four years* [formerly governor's pleasure]. Fla. 96, 24 My

- 1541 Register of deeds to index *within 24 hours* names of parties to instrument recorded. Amending Code §3664. N. C. 501, 6 Mr
- 1542 Salary of registers of deeds from \$500 [formerly \$1000] to \$2000 according to assessed valuation. Amending R. C. '95 §2075.  
N. D. 132, 6 Mr
- 1543 Certificate of appointment of commissioner of deeds amended ('98 ch. 583 §1). N. Y. 112, 21 Mr
- 1544 Fixing fees of recorders of conveyances. Amending '95 p. 77.  
Or. p. 140, 18 F; p. 151, 18 F
- 1545 Fees of recorder of deeds in counties of 500,000 amended ('79, 3).  
Pa. 55, 19 Ap
- 1546 Amending '71, 41 as to registers' fees; certificate of husband and wife to be registered as one. Tenn. 184, 23 Mr
- 1547 County registers to have records rebound or copied when necessary. Tenn. 272, 22 Ap
- 1548 Record of conveyance. (*See also* County and township government records, officers, fees, etc. 2733) Selectmen may make general index of land records. Ct. 137, 31 My
- 1549 Deeds and instruments of title to railroad lands to be recorded in proper counties on application of county commissioners; secretary of state to furnish copies. Minn. 255, 18 Ap
- 1550 Amending Code §3654 as to registration of deed to real estate situated in two or more counties. N. C. 302, 28 F
- 1551 Unrecorded instrument valid between parties thereto and those having notice; *but knowledge of record of an instrument out of the chain of title does not constitute such notice.* Amending R. C. '95 §3598. N. D. 167, 24 F
- 1552 Certain limitations in the recording of sale of building lots removed. Amending '95, 92. Pa. 101, 28 Ap
- 1553 Conveyances of real estate in counties of 500,000 to be registered with the county commissioners before being recorded.  
Pa. 110, 2 My
- 1554 Judgments or orders in controversy as to land titles *or operating to pass title* may be recorded by register of deeds. Amending R. S. '98 §2236. Wis. 351, 4 My
- 1555 Torrens system. Governor to appoint a commission of five to consider Torrens system of land transfers and report to next legislature. Mon. p. 159, 22 F
- 1556 Generally amending '98, 562 as to registration of land titles.  
Mass. 131, 8 Mr
- 1557 Only market value of real estate at time of loss [formerly last payment to assurance fund] recoverable under land registration act. Amending '98 ch. 562 §102. Mass. 125, 4 Mr

- 1558 **Miscellaneous.** Unlawful to sell patent right, *in whole or part, or right to manufacture, use or sell patented article* without first filing letters patent in county clerk's office. Amending R. S. '94 §8130-32. Ind. 81, 24 F
- 1559 Whoever covenants that realty is free from encumbrances shall be liable for all damages sustained in removing any encumbrance appearing of record, whether known or unknown to him. Amending R. C. '95 §3549. N. D. 89, 21 F
- 1560 Removing from Indians all existing disabilities relating to alienation of real estate. Wash. 96, 13 Mr
- 1561 When holder of contract for conveyance of lands dies entitled to deed, or widow or heir makes full payment, vendor shall make deed in name of deceased as grantee and deliver to widow or heir; title passes to heir, subject to rights of widow, with same interest as if deeded prior to death. Wis. 6, 3 Mr
- 1562 Repealing Code §1333 prohibiting the buying and selling of pretended titles or rights. N. C. 42, 3 F
- 1563 Claimants of lands, though not in possession, may convey their interest. S. D. 109, 4 Mr
- 1564 Providing for sale or mortgage of future contingent interest in land; proceedings. Wis. 300, 29 Ap; 342, 3 My
- Family property. Property rights of married women.** (See also Support of family, 33; Divorce, 13; Dower and curtesy, 1757)
- 1565 A married man whose wife is insane may convey property as though he were single. Ala. p. 89, 23 F
- 1566 Deeds or mortgages to real estate acquired during marriage must be signed by *wife and* husband; exception. Amending R. S. '87 §2102. Ari. 36, 14 Mr
- 1567 Personal property of either husband or wife exempt from execution not to be mortgaged without consent of both. '97 p. 6 reenacted to correct illegality in passage. Id. p. 292, 16 F
- 1568 Where guardian of insane person, drunkard or minor has sold land, wife may release interest as if husband were not under disability. Ind. 13, 7 F
- 1569 Husband and wife holding real estate as joint tenants or tenants by entireties to become tenants in common, after circuit or superior court has adjudged one of them insane and, probably permanently so. Ind. 78, 24 F
- 1570 Wife may dispose of rights in husband's lands at 18 [formerly 21] years. Mich. 187, 2 My
- 1571 Married woman of full age *may convey* [formerly may join husband in conveyance of] real estate; married man though not of full age may join wife in release of curtesy. Amending P. S. '91 ch. 176 §3. N. H. 16, 28 F

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- 1572 Consent of wife not necessary in consequence of real property owned by husband. Amending C. L. '97 §1509.  
N. M. 80, 16 Mr
- 1573 Amending '96 ch. 272 §18 as to effect of legitimatizing children.  
N. Y. 725, 26 My
- 1574 Either husband or wife may enter into engagement with the other or with any other person respecting property as if unmarried. Amending R. C. '95 §2767. N. D. 100, 7 Mr
- 1575 Court of chancery may validate deed of real estate heretofore or hereafter made by married woman in which husband did not join. Amending '96, 49. Vt. 55, 16 N '98

Miscellaneous

- 1576 Homesteads. Homestead not subject of devise when widow but no children; descends to widow; if children, widow may elect dower or a child's part. Fla. 69, 29 My
- 1577 Exempted homestead lying in more than one county to be recorded in each. Amending Code '95 §2835. Ga. p. 51, 20 D '98
- 1578 Schedules of exempted property in lieu of homestead to be filed in each county in which land lies. Amending Code '95 §2867.  
Ga. p. 52, 20 D '98
- 1579 Defining homestead. Amending R. S. '87 pt 2 t.7 ch. 1. '97 p. 10 reenacted to correct illegality in passage. Id. p. 293, 16 F
- 1580 Exemptions. Personal property to the value of \$500 and homestead to the value of \$2500 to be exempt from execution or forced sale for debt. Ari. 43, 14 Mr
- 1581 Well-boring machinery, engines and trucks up to \$1000 exempt from execution. Amending C. C. P. §690. Cal. 19, 21 F
- 1582 Bicycle and sewing machine exempt from levy and sale on execution, or writ of attachment, or distress for rent.  
Col. 96, 8 Ap
- 1583 Money paid by fraternal society not liable to attachment. Amending '95 ch. 255 §11. Ct. 117, 17 My
- 1584 Sending outside state claims against resident within jurisdiction of state courts, in order to evade law as to exemption from garnishment, a misdemeanor; debtor may recover amount with damages. Ga. p. 90, 7 D '98
- 1585 Property exempt from execution amended slightly (R. S. '87 §4480). '95 p. 85 reenacted to correct illegality in passage.  
Id. p. 251, 14 F
- 1586 Sick benefits of Ancient order united workmen not subject to attachment, garnishment or other process. Amending '87, 83. Mich. 130, 15 Je
- 1587 Bicycle exempt from execution. Amending '97, 6.  
Minn. 24, 25 F



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- 1588 Watch exempt from execution. Amending G. S. §5459.  
Minn. 287, 18 Ap
- 1589 Insurance on property exempt from attachment to be exempt from trustee process.  
N. H. 27, 1 Mr
- 1590 Wages up to \$30 exempt from execution or attachment.  
Tenn. 88, 27 Mr
- 1591 Exempting from execution earnings of married man for personal services rendered within 60 days of levy [formerly one half the earnings of debtor, except when \$1 a day or less when the whole was exempt]; other amendments to R. S. '98 §3245 relating to exemptions.  
U. 66, 9 Mr
- 1592 Exemption of earnings of judgment debtor for 30 days preceding attachment on [formerly judgment against] garnishee.  
Or. p. 11, 12 O '98
- 1593 Exempting soda-water apparatus leased or hired, from levy for rent. Amending '76, 134.  
Pa. 94, 28 Ap
- Eminent domain—general grants.** (*See also* Condemnation proceedings, 2406, and special purposes for which property may be taken)
- 1594 May be exercised in behalf of pipe lines for carrying petroleum or other fluid.  
Arl. 51, 16 Mr
- 1595 Amending G. S. '97 ch. 66 §102-3 specifying purposes for which lands may be taken under right of eminent domain.  
Kan. 95, 4 Mr
- 1596 Cities and towns may take land up to one acre for school, library or engine house; damages ascertained as in highway appropriation.  
Mass. 379, 19 My
- 1597 Purposes for which private property may be taken in cities of 500 to 3000 and certain other cities amended ('95 p. 65 §99).  
Mo. p. 90, 1 My
- 1598 Repealing '97, 29 providing for special jury to assess damages under law of eminent domain.  
N. D. 88, 8 Mr

Liens. Incumbrances

- 1599 Mortgages—general. Entry of payment or partial payment of mortgage debt amended (Code '96 §1065-66).  
Ala. p. 26, 23 F
- 1600 Providing for acknowledgment of satisfaction and release of mortgages and deeds of trust.  
Arl. 64, 16 Mr
- 1601 Payment of insurance premiums, taxes and assessments by mortgagee creates lien. Amending G. S. '88 §3009. Ct. 1, 15 Mr
- 1602 Court may issue order discharging lien of writs of attachment and execution when lien has been lost or destroyed. '95 p. 14 reenacted to correct illegality in passage.  
Id. p. 233, 14 F

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- 1603 Mortgagee failing to discharge mortgage liable to \$10 to \$50 fine [formerly damages]. Amending '95, 69. **Me.** 113, 17 Mr
- 1604 Repealing R. C. '95 §4718 relating to discharge of recorded mortgages by entry in margin of record. **N. D.** 74, 24 F
- 1605 Mixed chattel and real mortgages, particularly on railroad property, to be admitted to record as real estate mortgages in county where property is located. **Wash.** 72, 13 Mr

**Real estate mortgages.** (*See also* Foreclosure, 2383; Taxation of mortgages, 1241; Executors and administrators, 1800; Guardians—mortgage of property, 1856)

- 1606 Any person who receives assignment of real estate mortgage and fails to have transfer recorded in 45 days shall forfeit 10% to state school fund; prosecuting attorney to sue for same; court to tax \$20 or more for prosecutor's fee; mortgagor entitled to 10% deduction from face of unrecorded transferred mortgage. **Ind.** 122, 28 F
- 1607 Regulating assignment of real estate mortgages and recording of assignments. Repealing '97, 160. **Kan.** 168, 3 Mr
- 1608 When lands lie in more than one county, releases of mortgages and all foreclosure proceedings may be recorded in each. Amending G.S. §4196. **Minn.** 182, 14 Ap
- 1609 Holder, owner or assignee of mortgage offered for record to furnish recorder with name and address. **Pa.** 39, 11 Ap
- 1610 Unlawful to destroy or remove fixtures, buildings or permanent improvements on mortgaged real estate. **Wash.** 75, 13 Mr
- 1611 **Chattel mortgages.** (*See also* Miscellaneous frauds, 2588) Acknowledgment and filing amended (R. S. '87 §3386-87). '91 p. 181 reenacted to correct illegality in passage. **Id.** p. 121, 6 F
- 1612 Manner of discharging. Amending R. S. '87 §3361-62. '95 p. 54 reenacted to correct illegality in passage. **Id.** p. 249, 14 F
- 1613 Any mortgagor of personal property who injures it, or sells it without consent of mortgagee is guilty of larceny; penalties. Repealing '97, 161. **Kan.** 167, 4 Mr
- 1614 Chattel mortgages in unorganized townships to be filed with county recorder. Amending '97, 292. **Minn.** 18, 17 F
- 1615 Providing short form of chattel mortgages to be used only in certain counties. **N. C.** 17, 28 F
- 1616 Amending validity of unrecorded mortgages of personal property (G. L. 'ch. 207 §10). **R. I.** 614, 28 F
- 1617 When mortgaged property is taken from one county to another and there disposed of unlawfully, offender may be prosecuted in either county. Amending Crim. P. '95 art. 235. **Tex.** 8, 20 F
- 1618 General act relating to filing of chattel mortgages. **Wash.** 98, 13 Mr

- 1619 Chattel mortgages may be renewed from year to year by filing affidavit within *60 days after* [formerly 30 days preceding] expiration of year. Amending '90-91 ch. 7 §11. Wy. 27, 16 F
- 1620 Mortgages—crop and special objects. Authorizing mortgages on crude turpentine and resin gathered or manufactured within 18 months after date of mortgage. Ala. p. 243, 23 F
- 1621 Chattel mortgages may be made on growing crops and on crops to be sown and grown in future. Amending R. S. '87 §3385. '97 p. 6 reenacted to correct illegality in passage. Id. p. 292, 16 F
- 1622 Providing short form of agricultural liens to be used only in certain counties. N. C. 17, 28 F
- 1623 Mortgage of crops so stipulating may be foreclosed by sale of crop after harvest, at any time, without notice; usual charges for sale and transportation to be deemed proper expenses. Amending R. C. '95 §5887. N. D. 120, 25 F
- 1624 Pledge. 10 days written notice to be served on pledgor before sale of collateral securities; sale may be private if in contract; public sales to be between 9 a. m. and sunset, on 10 days posted notice. Mich. 84, 25 My
- 1625 Conditional sales. Property sold conditionally not to be concealed or sold by vendee. Ct. 135, 31 My
- 1626 Contracts for sale of personal property, where title is to remain with vendor till purchase price is paid, to be recorded with county clerk. Mon. p. 124, 3 Mr
- 1627 Misdemeanor to dispose of personal property, bought on conditional sale, before complying with terms. Tenn. 12, 3 Mr
- 1628 Retention of title by vendor in conditional sale invalid if not in writing. Tenn. 15, 24 F
- Mechanics' and other liens.** (See also Attorney's liens, 1900; Warehouses, 4236; Irrigation, 4474)
- 1629 General liens of mechanics, material men and laborers. Generally amending '93, 117 granting liens to mechanics and others. Col. 118, 12 Ap
- 1630 General law securing to mechanics and others payment for labor and materials in erecting buildings and grading lots. '93 p. 49; '95 p. 48, 138 reenacted to correct illegality in passage. Id. p. 147, 7 F
- 1631 Procedure for enforcement, discharge, etc. Action on mechanics' lien to be commenced in *15 months* [formerly 90 days]. Amending '95 ch. 46 §15. Ark. 182, 8 My

- 1632 Manner of foreclosure of special liens for services rendered, where lien is dependent on possession. Amending R. S. '87 §3445. '93 p. 67 reenacted to correct illegality in passage.  
Id. p. 181, 9 F
- 1633 Requiring owners or operators of mines and builders of tunnels, canals, railroads, buildings etc. to publish statement containing name of owner, operator, etc. his address, day when laborers will regularly be paid, and mortgages and liens on property.  
Id. p. 365, 14 Mr
- 1634 Lien for labor and materials *not* dissolved unless filed in 40 days, *when contract is with owner*. Amending '95, 34.  
Ma. 84, 16 Mr
- 1635 No mechanics' liens on vessel or building unless contractor furnishes owner, on demand, within 15 days after work done, statement of amounts and persons to whom due; no action maintainable till 10 days after statement; owner may pay according to statement. Minn. 277, 18 Ap
- 1636 Person furnishing materials to contractor not entitled to file mechanics' lien unless he notify owner of land by registered letter prior to completion of contract, that he has furnished materials. Amending R. C. '95 §4788. N. D. 109, 7 Mr
- 1637 No lien on owner for labor or materials furnished at request of lessee or tenant, *unless owner has expressly agreed with party claiming lien*. Amending R. S. '98 §3314. Wis. 222, 20 Ap
- 1638 Special laborers and mechanics' liens. Persons holding personal property under mechanics' lien may sell for cash at public auction, 30 days after work done, on giving bond in sum fixed by justice of peace or circuit court; demand on debtor and 10 days posted notice. Ark. 58, 16 Mr
- 1639 Amending G. L. '88 §3020-21 as to notice to owner of building that mechanics' lien is claimed, and as to amount of lien.  
Ct. 121, 19 My
- 1640 Mechanics' liens superior to any incumbrance imposed after work commenced and before limit for filing lien. Amending G. S. §3811. Nev. 80, 14 Mr
- 1641 Amending '98 ch. 226 §4 relating to mechanics' lien on buildings.  
N. J. 153, 24 Mr
- 1642 A justice of the supreme court, or the county court, or the county judge may continue mechanics' lien under a contract for public improvement. Amending '97 ch. 418 §17. N. Y. 25, 28 F
- 1643 Laborers' lien on mining claims amended ('91 p. 76 §1).  
Or. p. 180, 18 F

- 1644 In an action to enforce mechanics' lien, lienholder if successful may recover attorney's fee. Amending '94, 91. U. 101, '96. *Unconstitutional*. Confers special privileges on a certain class of litigants. *Brubaker v. Bennett*, 57 p. 170.
- 1645 In an action to enforce mechanics' lien, the *successful party* [formerly lienholder, if successful] may recover attorney's fee. Amending R. S. '98 §1400. U. 58, 9 Mr
- 1646 Hotel and lodging house keepers. Innkeeper has lien on guests' baggage. Ark. 165, 8 My
- 1647 Amending C. C. '95 §2502 providing a lien on baggage for hotel keepers. Repealing C. C. '95 §2511. Mon. p. 132, 16 F
- 1648 Hotel keeper does not have lien on baggage or other property of guest, if he has had notice that such baggage, etc. is not property of guest. Amending '97 ch. 418 §71. N. Y. 380, 21 Ap
- 1649 Boarding house keepers given lien on baggage of guests; public sale after 10 days notice. N. C. 645, 8 Mr
- 1650 Liens on animals. Keeper, owner or proprietor of livery stable or other place for feeding and caring for stock for pay, to have lien on stock; limitation. Amending Code '96 §2774. Ala. p. 39, 23 F
- 1651 Keepers of public pastures or training stables to have a lien on stock. Ala. p. 125, 1 F
- 1652 Lien for service of stallion *after mare known to be with foal* [formerly after service]. Amending C. L. §10,784, 10,786. Mich. 68, 10 My
- 1653 In order to have lien for services of sire, commissioner of agriculture's certificate must be filed with *register of deeds* [formerly clerk of district court]; fees. N. D. 146, n. d.
- 1654 Liens on timber. Lien for shoring and running logs established. Mo. 38, 3 Mr
- 1655 Every person who works on saw-logs, lumber or other timber and the owner of land on which timber is cut, has a lien on such timber; manner of procedure. Mon. p. 126, 20 F
- 1656 Revision of laws as to liens on logs, timber and crossties. Minn. 342, 20 Ap
- 1657 Person claiming interest in timber in hands of sheriff to have custody of same on depositing amount of claim and \$100 for costs and interest; costs not to be allowed to lienholder unless demand is made or court finds fraud attempted. Amending '98 ch. 132 §12. Wash. 90, 13 Mr
- 1658 Verbal change in R. S. '98 §3342b as to enforcing lien on logs. Wis. 351, 4 My

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- 1659 Liens for miscellaneous services. Contractor or subcontractor, persons performing work of any kind or furnishing board or provisions to employees or teams, or professional services, have lien against railroad. Amending Digest '94 §6251-53.  
Ark. 173, 8 My
- 1660 Constructors of wells and cisterns have lien on land.  
Ark. 173, 8 My
- 1661 Land on which *well is dug* is subject to lien. Amending C. C. P. §1185, 1188. Cal. 23, 23 F; 35, 1 Mr
- 1662 Creating lien for cutting or pressing hay. Mo. 54, 10 Mr
- 1663 Lien on monumental work over \$30, under written contract.  
Mo. 102, 16 Mr
- 1664 Claims for labor against street railway or steam railroad unpaid 10 days after presentation, and judgments for personal injuries or death, are liens on all property, prior to all judgments and other liens except for labor; all claimants in past six years to be notified to appear, before final decree in foreclosure of any mortgage or lien.  
Mich. 110, 9 Je
- 1665 Establishing liens for labor in quarrying, *mining*, dressing and cutting stone. Amending '97 ch. 418 §50. N. Y. 322, 17 Ap
- 1666 Person keeping livery or boarding stable to have lien on vehicle or harness stored with him. Amending '97 ch. 418 §74.  
N. Y. 465, 28 Ap
- 1667 Common carriers' lien to be enforced by sale of unclaimed goods or goods on which charges are not paid. U. 37, 9 Mr
- 1668 Owner of threshing machine or corn sheller has lien on grain; may seize and sell in six months. Wis. 220, 20 Ap
- 1669 Moneys due contractors for public work to be withheld to satisfy claims of laborers and material men; regulations.  
Col. 124, 10 Ap
- 1670 Laborers and material men have right to sue on bond of public contractors *if they file claim within 30 days after work is completed; form of notice; when city charter requires contractors to give bond for use of city and of laborers, etc. additional bond to state not required.* Amending G. S. '91 §2417. Wash. 105, 13 Mr

Contracts and other obligations

Loans. Negotiable instruments

- 1671 Negotiable instruments. General negotiable instruments law. [Recommended by conference of commissioners on uniform legislation.]  
N. C. 733, 8 Mr; N. D. 113, 7 Mr; Or. p. 18, 16 F; R. I. 674, 25 My; Tenn. 94, 6 Ap; U. 83, 20 Mr; Wash. 149, 22 Mr; Wis. 356, 5 My

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- 1672 **Lawful money.** Repealing '93 p. 78 requiring payment of obligations in either gold or silver coin regardless of special contract. Id. p. 183, 9 F
- 1673 **Contracts for payment of money whether in gold, silver or coin may be discharged in any legal tender.** Tenn. 189, 27 Mr
- 1674 **Interest. Usury.** Repealing Code '96 §2630 providing that when principal and usurious interest have been paid, the excess over principal and legal interest may be recovered. Ala. p. 38, 23 F
- 1675 **On loans on certain chattel mortgages, interest in excess of 10% a year to be applied to payment of principal debt. Amending G. L. '88 §3016.** Ct. 177, 14 Je
- 1676 **Loans on chattel mortgages not to bear greater rate of interest than that lawfully charged by pawnbrokers; other regulations.** Ct. 165, 9 Je
- 1677 **Legal rate 7 1-2% [formerly 10%]; maximum allowed 12% [formerly 1½% a month]. Amending R. S. '87 §1263-64. '97 p. 95 reenacted to correct illegality in passage.** Id. p. 315, 18 F
- 1678 **Interest on loans on personal property under \$200 not to exceed 3% a month for first three months, nor 15% a year thereafter; mortgage on household goods must state amount, when due, rate and expense of making loan; does not apply to licensed pawnbrokers.** Mo. 67, 11 Mr
- 1679 **Legal rate 5% [formerly 6%]; contract rate 7% [formerly 8%]. Amending C. L. §4856.** Mich. 207, 25 My
- 1680 **Legal rate 6% [formerly 7%]. Amending G. S. §2212.** Minn. 122, 3 Ap
- 1681 **Penalty for sale or assignment of usurious contract without notice.** Mo. p. 166, 27 Mr
- 1682 **Interest, commissions of brokerage exceeding 2% a month is usurious.** Mo. p. 167, 14 Ap
- 1683 **Legal rate 8% [formerly 10%]. Amending C. C. '95 §2585, 2588.** Mon. p. 125, 28 F
- 1684 **Legal rate 6% [formerly 8%]; maximum 10%. Or. p. 15, 14 O '98**
- 1685 **Repealing '97, 81 avoiding excess over legal interest on suit for payment of money.** Tenn. 172, 6 Ap
- 1686 **Repealing '97, 23 allowing same interest on loans on property in other state as that state allows.** Tenn. 306, 22 Ap
- 1687 **Legal rate 6% [formerly 7%]; on state warrants not over 5%, to cease 10 days after call; on judgments on contracts specifying rate, at specified rate, but not to exceed 10%; officials to fix rates on warrants so as to make par value equal market value. Repealing '95, 136.** Wash. 80, 18 Mr

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- 1688 **Maturity of commercial paper.** (*See also* Legal holidays, 4287)  
Three days grace on sight drafts and bills of exchange unless  
otherwise stipulated. Repealing part of '98, 533.  
Mass. 180, 6 Mr
- 1689 Notes due on Sunday are payable on *Monday* [formerly Saturday]  
or if that is legal holiday, on Tuesday; notes due on holiday  
are payable on next business day; due on Saturday if not paid  
before noon are payable Monday; no days of grace unless  
stipulated. Amending C. '91 ch. 99 §3. W. Va. 32, 22 F
- 1690 **Seals.** Legalizing instruments without seal. Minn. 3, 3 F
- 1691 Private seals abolished; written contract imports consideration  
when so expressed. Minn. 86, 22 Mr
- 1692 Whenever it is clearly the intention of makers of instrument  
that it shall be a sealed instrument, it shall be so construed  
though no seal be attached. S. C. 32, 28 F
- 1693 **Miscellaneous regulations.** Typewriting to be as binding as  
writing, except as to signatures; writing hereafter to include  
typewriting. Ct. 75, 20 Ap
- 1694 Giving worthless checks forbidden; exception. Del. 265, 1 Mr
- 1695 Blank indorsement of nonnegotiable note by third party creates  
a contract. Ct. 4, 20 Ap
- 1696 Collector or holder of commercial paper attached to bill of  
lading shall not be deemed to warrant quality, quantity or  
title of goods. Fla. 99, 2 Je
- 1697 Reducing and regulating protest fees. Ga. p. 106, 20 D '98
- 1698 Negotiable instrument may contain provision for attorney's fee.  
Amending C. C. '95 §3996. Mon. p. 124, 3 Mr
- 1699 Notice of nonpayment or nonacceptance of notes, drafts, etc.  
may in certain cases be given by mail. Amending G. L. ch.  
166. E. I. 623, 3 Mr
- 1700 Due diligence in collection of checks or drafts defined.  
S. D. 59, 4 Mr

**Miscellaneous classes**

- 1701 **Landlord and tenant.** (*See also* Ejectment, 2375; Replevin, 2411)  
Commission merchant selling tenant's crop to pay debt to him-  
self is liable as purchaser to person entitled to the rent.  
Tenn. 22, 24 F
- 1702 **Trusts—general.** (*See also* Executors, 1800; Guardians, 1845) Court to  
fill vacancy in office of trustee when necessary to *carry out*  
*trust created by will.* Amending C. C. P. §1702.  
Cal. 90, 16 Mr
- 1703 Income of trust liable to claims of creditors, when; powers of  
court. Ct. 210, 22 Je



- 1704 Probate court may direct fiduciaries to deposit in savings banks in name of probate judge funds of absent or incompetent person. **Mass.** 90, 17 F
- 1705 Trust companies may act as fiduciaries. **Mass.** 348, 9 My
- 1706 Fiduciaries to have 20 days to qualify. Amending C. L. §684. **Mich.** 69, 10 My
- 1707 General law confirming jurisdiction of probate courts over testamentary trusts and providing for their administration, 12p. **Mich.** 253, 21 Je
- 1708 Any fiduciary holding property for which no receipt can be given by proper person, may seek his discharge from supreme court. Amending G. L. ch. 219, 240. **R. I.** 651, 2 My
- 1709 Supreme court may appoint trustees in certain cases. Amending G. L. ch. 208 §1, 4. **R. I.** 680, 25 My
- 1710 Prosecuting attorney to examine records of probate and district courts before each regular term and ask for removal of negligent fiduciaries or those who have left the state; court may remove and appoint others. **Wy.** 73, 21 F
- 1711 **Suretyship.** (*See also* Executors, 1800; Surety companies, 3326; Index, under Bonds) Surety on bond of officer *elected or appointed* may be released on application to court approving bond *or, if such approval not required, to circuit court.* Amending Digest '94 §7319. **Ark.** 14, 13 F
- 1712 *Person or company as surety on fiduciary's bond may ask court to relieve from farther liability.* Amending Digest '94 §4162. **Ark.** 179, 8 My
- 1713 Verbal change in '95 ch. 82 §3 as to notice to sureties on forfeited official bonds. **Fla.** 54, 26 My
- 1714 Form for undertakings to be signed by sureties in civil and criminal actions. '95 p. 18 *reenacted to correct illegality in passage.* **Id.** p. 235, 14 F
- 1715 Surety on probate bond may be discharged on application of surety *or principal.* Amending R. S. ch. 72 §3. **Me.** 85, 16 Mr
- 1716 Probate courts may reduce penal sum of bonds signed by surety companies, as to future violations of conditions only. **Mass.** 278, 15 Ap
- 1717 Amending certain sections of P. C. '95 ch. 7 art. 9 relating to sureties on official bonds. **Mon.** p. 79, 7 Mr
- 1718 In proceedings on bonds and undertakings, after the filing of an account, the court shall determine and enforce the rights and liabilities of all parties as in actions for accounting in supreme court. Amending C. C. P. §812. **N. Y.** 726, 26 My
- 1719 Providing for release of sureties on bonds, undertakings and other obligations. **Or.** p. 92, 17 F

Property and contract rights

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- 1720 Bonds executed by surety company to be accepted in lieu of individual sureties; release of surety. U. 65, 9 Mr
- 1721 Sureties on official bonds released on filing notice. Wy. 9, 8 F
- 1722 Partnership. Voluntary business associations with partnership liabilities may, when insolvent, be put into receiver's hands; procedure; notice; assessment. N. J. 182, 24 Mr
- 1723 Amending name of firm in limited partnerships (Code §3100). N. C. 75, 13 F
- 1724 Regulating formation of limited liability partnerships. Pa. 153, 9 My
- 1725 Retiring partner not liable for firm's debts contracted after retirement, if he publishes notice four weeks. Tenn. 169, 7 Ap
- 1726 Provisions as to filing articles of foreign incorporation no longer apply to partnerships; penalty for violation \$500 [formerly \$1000 for second offense]. Amending R. S. '98 §1770b. Wis. 351, 4 My

Insolvency. Assignments

(See also Exemptions, 1580; Corporations, 880; Partnership, 1722)

- 1727 General. General law concerning general assignments. Revision. N. J. 54, 21 Mr
- 1728 Repealing certain acts relating to general assignments. N. J. 71, 22 Mr
- 1729 Assignees. Insolvency proceedings amended as to election and duties of assignee (R. S. '87 §5880, 5882). '95 p. 76 reenacted to correct illegality in passage. Id. p. 250, 14 F
- 1730 Assignee failing to swear to amended schedule may not do so after two years *except by leave of court*. Amending '89, 217. Me. 23, 1 Mr
- 1731 Assignee must give bond equal to *present* [formerly nominal] assets. Amending R. S. '98 §1694. Wis. '98, 30 Mr
- 1732 Preferences. Fraudulent transfers. General assignments or conveyances giving preferences shall inure to benefit of all creditors; crime to sell or remove property subject to execution with intent to hinder or defraud creditors. Ala. 481, '97. *Unconstitutional*. Contains more than one subject. Builders' and painters' supply co. v. Lucas, 24 So. 416.
- 1733 Assignments of debts not evidenced by instruments are void as against creditor if not in writing filed with town or city clerk or village recorder, unless claimant proves valid consideration; filing is not notice to debtor. Minn. 268, 18 Ap
- 1734 Sale of merchandise except in regular course of trade void against creditors, unless inventory is made five days before sale and all creditors notified. Minn. 291, 19 Ap

- 1735 Additional restrictions regarding preferences etc.; procedure to avoid. Wis. ch. 334 §3, '97. *Unconstitutional* as to debts existing at time of its passage; impairs the obligation of contracts. Peninsular lead works v. Union Oil, 100 Wis. 488.
- 1736 Claims. Settlement. Manner in which certain claims against insolvent estates are to be certified to probate court.  
Ala. p. 85, 18 F
- 1737 Creditor may release one or more joint debtors. Col. 108, 10 Ap
- 1738 One year after discharge in bankruptcy under act of congress, 1898, debtor may have all judgments listed in bankruptcy proceedings discharged in district court; 10 days notice to creditors.  
Minn. 262, 18 Ap
- 1739 Repealing '91 p. 44 directing payment into state treasury of unclaimed dividends in hands of assignees. Mo. p. 43, 10 My
- 1740 Extension of time for creditors to bring in claims against insolvent estate not to be allowed without prepayment of probable expense. Amending P. S. '91 ch. 192 §4. N. H. 3, 7 F
- 1741 Amending the discharge of a judgment against a bankrupt discharged from his debts (C. C. P. §1268). N. Y. 602, 16 My
- 1742 Trustees and assignees for benefit of creditors shall account to county clerk as soon as nature of assignment will admit; clerk may compel accounting two years from appointment. Amending Code '96 §3523. Tenn. 371 21 Ap
- 1743 Miscellaneous procedure. Manner of discharging an insolvent from his debts amended (R. S. '87 §5914). '97 p. 122 reenacted to correct illegality in passage. Id. p. 316, 18 F
- 1744 Court of insolvency may issue execution to compel payment of register on 30 days notice [formerly same as in civil process in supreme court]. Amending '91, 101. Me. 43, 8 Mr
- 1745 Promise to pay debt discharged by bankruptcy proceedings is not good evidence unless in writing. N. C. 57, 10 F
- 1746 Verbal change in R. S. '98 §3030 relating to compelling debtor to answer as to property. Wis. 351, 4 My

## Estates of decedents and wards

### Descents. Devises

(See also Inheritance tax, 1254)

- 1747 Devises. Wills. Will of soldier or sailor dying in Spanish war valid without witnesses if entirely in testator's handwriting. Amending G. S. §4426. Minn. 338, 20 Ap
- 1748 Alphabetical index of wills to be made by each county.  
N. C. 110, 15 F

Descent. Succession

- 1749 Order of descent. Homestead not subject of devise when widow but no children; descends to widow; if children, widow may elect dower or a child's part. Fla. 69, 29 My
- 1750 Distribution of property between widow and children amended ('53 ch. 38 §2). Ind. 231, '89. *Partly void.* §1 attempts to amend an act already repealed. Helt v. Helt, 52 N. E. 699.
- 1751 Damages for wrongfully causing death shall inure to widow or widower and children or next of kin. Amending R. S. '94 §285. Ind. 177, 4 Mr
- 1752 Distribution of intestate's estate: furniture [formerly not over \$250] to widow, issue of deceased child take *by right of representation*; if no child, all residue if under \$3000 [formerly \$1000] to widow; if over \$3000, half to widow, half to father and mother *equally or to the survivor of them; if no widow or husband) or child, to all lineal descendants, equally if of same degree, otherwise by right of representation.* Amending C. L. §9322. Mich. 116, 15 Je
- 1753 Inheritance of adopted child dying in minority unmarried goes to heirs of person from whom property came. Amending G. S. §4447. Minn. 174, 11 Ap
- 1754 Estate [formerly real estate] of intestate leaving no issue to go *in equal shares* to husband or wife *and father or mother.* Amending '97 ch. 106 §259. Nev. 95, 16 Mr
- 1755 Distribution of estate of person dying intestate. Amending '98 ch. 284 §169. N. J. 83, 22 Mr
- 1756 Right of action for wrongful killing, *if no widow or next of kin, passes to personal representative for benefit of estate.* Amending Code '96 §4025. Tenn. 213, 15 Ap
- 1757 Dower and curtesy. Release of *curtesy* includes rights by descent. Amending '96 §6, 157. Me. 21, 22 F
- 1758 Childless second wife takes only life interest in intestate's lands when he leaves child or children by former wife, *or their descendants.* Amending R. S. '94 §2644-47. Ind. 99, 24 F
- 1759 Providing for collection of dower interest due to widows; real estate may be sold on judgment to recover such interest. Pa. 97, 28 Ap
- 1760 Escheats. Generally amending law of escheats (R.S.'89 ch. 61). Mo. p. 203, 11 My

## Probate procedure. Administration

(See also Trusts, 1702)

### Courts. Procedure generally

- 1761 Courts—judges and officers. Governor may order election to fill vacancy in office of probate judge. Ot. 74, 20 Ap
- 1762 Probate judges to surrender certain papers etc. to their successors in office; *penalty*. Amending R.S.'87 pt. 3 t. 12 ch. 11. Id. p. 401, 6 Mr
- 1763 In counties of 1000 to 10,000 salary of probate judge may be increased not to exceed \$600; in counties of 150,000 salary of probate clerk \$1500; \$2500 for additional clerk hire; salaries based on state census of 1895 [formerly '85]. Amending G. S. §4416-17. Minn. 145, 11 Ap
- 1764 Probate judge whose salary exceeds \$1000 [formerly \$1200] may have not over \$1500 for clerk hire. Amending G. S. §4418. Minn. 188, 13 Ap
- 1765 Duties of probate judge amended (R. S. '89 §3402). Mo. p. 158, 30 Mr
- 1766 Amending compensation of probate judges ('97, 60). N. M. 25, 1 Mr; 24, 1 Mr
- 1767 In counties of 28,000 where there is no provision for clerk hire in probate court, judge's salary to be at least \$1500 [formerly not uniform]. Minn. 47, 9 Mr
- 1768 Probate clerk in cities of 300,000 may, before payment of fees and costs to city treasurer, deduct expense of publication of court docket. Amending '97 p. 82. Mo. p. 159, 22 Ap
- 1769 Fees of clerk of orphans' court amended ('68 ch. 1 §6). Pa. 91, 28 Ap
- 1770 Repealing R. S. '89 §3410 requiring secretary of state to furnish probate courts with copies of statute laws and supreme court reports. Mo. p. 158, 18 My
- 1771 Verbal amendment to C. L. '97 §928 relating to jurisdiction of probate court. N. M. 80, 16 Mr
- 1772 Selectmen to provide fire-proof vault for probate records. Ot. 130, 31 My
- 1773 Person of either sex may be appointed to act in absence of register of probate. Amending R. S. ch. 63 §18. Me. 61, 11 Mr
- 1774 Register of probate's bond after approval by county commissioners to be filed with county treasurer Amending P.S. ch. 63 §14. Me. 71, 15 Mr
- 1775 Registers in probate have powers of clerks of courts to certify copies of papers. Wis. 37, 23 Mr
- 1776 Impressions of seals of probate courts to be kept on file by governor. Vt. 52, 29 N '98

- 1777 **Miscellaneous procedure.** When judge of probate and insolvency is unable *from any cause* [formerly interest or sickness] to act, other judge may be designated; case may be heard in another county *unless interested party objects* [formerly on written consent of all parties]; register to certify *occasion for* other judge's acting; *assisted judge shall pay excess over 3% of salary unless interest prevents his acting.* Amending '94, 377.  
*Mass.* 345, 6 My
- 1778 Probate judge *unable to act on account of illness or necessary absence* to require judge of adjoining county to act. Amending '89 ch. 40 §5. *Minn.* 181, 14 Ap
- 1779 Probate judges not to try cases in which they are personally interested; special judges to be selected; district and probate judges may exercise certain powers at chambers.  
*Okl.* 24 art. 2, 13 Mr
- 1780 Time within which appeal may be taken from probate courts amended (G. L. '88 §641). *Ot.* 173, 13 Je
- 1781 When appeal is taken in settlement of decedents estate transcript must be filed in supreme court in 90 [formerly 30] days after filing appeal bond. Amending R. S. '94 §2610.  
*Ind.* 171, 3 Mr
- 1782 Appeal from probate to district court on final decree assigning residue of decedent's estate. Amending G. S. §4665.  
*Minn.* 27, 25 F
- 1783 Personal notice may be given to persons in interest in certain cases before probate court; fee. *Ct.* 44, 6 Ap
- 1784 Petitions for probate proceedings may be received and entered and notice thereon ordered, in vacation. *Me.* 29, 1 Mr
- 1785 Probate court may, on *reasonable* notice [formerly uniform general rule] require special administrators to do such acts as needs of estate require. Amending '98, 414. *Mass.* 301, 25 Ap
- 1786 Probate court may adjourn hearing in petitioner's absence; fiduciaries to have 20 days to qualify. Amending C. L. §684.  
*Mich.* 69, 10 My
- 1787 Surrogate's order directing service of citation by publication to provide that citation be published in two newspapers *unless estate amounts to less than \$2000, in which case one newspaper is to be designated.* Amending C. C. P. §2524.  
*N. Y.* 606, 16 My
- 1788 Amending C. C. P. §2698 relating to application for ancillary letters as to waivers of service of citation by creditors.  
*N. Y.* 717, 26 My
- 1789 Orphans' courts may decree specific performance of certain contracts, where one of the parties dies without discharging contract.  
*Pa.* 105, 28 Ap

**Probate of wills**

- 1790 Wills may be probated without testimony of witnesses if they are dead, insane or removed to parts unknown. Kan. 313, 4 Mr
- 1791 Notice of petition to supreme court for construction of will may be served by publication on such number representing all possible interests as court shall order. Mass. 373, 18 My
- 1792 General law confirming jurisdiction of probate courts over testamentary trusts and providing for their administration. Mich. 253, 21 Je  
12p.
- 1793 Executor may witness in probating will. Amending R. S. '89 §8903. Mo. p. 367, 19 My
- 1794 Amending Code §2155 relating to probate. N. C. 55, 10 F
- 1795 Notice of hearing on petition for probate may be given by publication or by posting and by mailing notices. Amending R. S. '98 §3789. U. 19, 7 Mr
- 1796 Contests of wills. Depositions in proof of will may be taken when subscribing witnesses are dead, out of state, *unable to attend court or presence not enforceable by ordinary civil subpoena*. Amending '95, 107. Ind. 74, 24 F
- 1797 Physician may testify as to mental and physical condition of deceased patient when personal representatives of deceased *in open court or the attorneys of the parties before trial* waive the provisions of the law forbidding such testimony. Amending C. C. P. §836. N. Y. 53, 8 Mr
- 1798 Minor amendment to Code §2159 relating to transfers of will contests. N. C. 14, 28 Ja
- 1799 Foreign wills. Repealing provision as to time of publication of notice of hearing on probate of foreign wills ('95, 51). Me. 65, 11 Mr

**Executors. Administrators**

- 1800 Granting administration. Surviving *husband* has first right to be administrator. Amending G. S. §4478. Minn. 149, 11 Ap
- 1801 Time of taking oath and giving bond of public administrator amended (R. S. '89 §296). Mo. p. 41, 11 My
- 1802 Amending C. C. P. '95 §2434 specifying persons not competent to serve as administrator. Mon. p. 137, 16 F
- 1803 Letters testamentary may be granted regardless of date of death where deceased suffered loss from *Indians or United States army*. Amending R. S. '95 art. 1880. Tex. 143, 25 My
- 1804 Notice of hearing on petition for letters of administration may be given by publication, or by posting, and by mailing notices to heirs. Amending R. S. '98 §3818. U. 54, 9 Mr

- 1805 Bonds. Compensation. Executors exempt by will may perform all required acts [formerly sell real estate] without bond. Amending R. S. ch. 64 §8; ch. 71 §4. Me. 86, 16 Mr
- 1806 Minor amendments to R. S. '98 §3930 as to premiums on executor's bonds. Wis. 351, 4 My
- 1807 Appraisal of estate. Appraisers not to accept any reward except legal fee. Cal. 36, 1 Mr
- 1808 Claims and action against estate. Court may correct affidavit to claim before final account is filed; claims barred if not filed in three months [formerly 60 days]; claims deemed rejected [formerly allowed] if not indorsed within 15 days after expiration of the time for filing; notice of rejection of claim may be mailed to nonresident claim holder. Amending '97 ch. 106, §108-9, 111. Nev. 95, 16 Mr
- 1809 Limiting time for bringing suit on claims against executors and administrators. Ct. 7, 15 Mr
- 1810 Duties of administrator de bonis non concerning claims presented to executor or administrator. Ct. 176, 14 Je
- 1811 Courts of probate may limit farther time for presentation of claims. Ct. 224, 20 Je
- 1812 Generally amending R. S. ch. 87 as to limitations of actions against executors and administrators. Me. 120, 17 Mr
- 1813 Probate court may on application of administrator or executor of an insolvent examine any person whose claim has been allowed, summon any person to testify, and expunge claim for fraud, illegality or mistake. Mass. 81, 15 F
- 1814 On affidavit of no debts, time for filing claims against decedent's estate may be limited to three months. Amending G. S. §4509. Minn. 82, 22 Mr
- 1815 Presentment and allowance of demands against estates of deceased persons amended (R.S.'89 §183-4, 209-10, 213.) Mo. p. 38, 8 My
- 1816 Notice of appointment of executor or administrator shall direct creditors to file claims with clerk of court within three months. Amending '97 ch. 106 §108, 271. Nev. 95, 16 Mr
- 1817 Exhibition of claim against estate of person deceased to be made within one [formerly two] year; no suit after two [formerly three] years; exceptions. Amending P.S.'91 ch. 191 §2, 4. N. H. 2, 7 F
- 1818 Actions against executor or administrator in county courts. Amending R. S. '98 §3845. Wis. 5, 3 Mr
- 1819 Correcting error in R. S. '98 §3844 as to barring of claims against deceased. Wis. 351, 4 My



Estates of decedents and wards

SUMMARY OF LEGISLATION, 1899

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- 1820 Minor changes in R. S. '98 §2932 relating to costs when executors are parties. Wis. 351, 4 My
- 1821 Sale or mortgage of property. Probate courts may license sale of lands to pay debts of deceased when *estate's interest* [formerly value of land] does not exceed \$1000 [formerly \$500]. Amending C. L. §9133. Mich. 235, 9 Je
- 1822 Administrators may sell land for schoolhouse sites, subject to approval of court. Minn. 210, 13 Ap
- 1823 Real estate of decedents may be sold or mortgaged by order of court; procedure. N. D. 110, 24 F
- 1824 Notice of sale of real estate of decedent to be given by publication, *or by posting*, and by mailing of notices to heirs and executor. Amending R. S. '98 §3889. U. 9, 2 Mr
- 1825 Accounts. Administrators may settle damage caused by laying out *public road*. Amending G. S. §4590-91. Minn. 196, 13 Ap
- 1826 At every annual settlement, *or at any time thereafter*, the court may ascertain the condition of the estate. Amending R. S. '89 §226. Mo. p. 40, 15 My
- 1827 Hearing on account of executor or administrator *not less* [formerly not more] than 10 days after filing. Amending '97 ch. 106 §187. Nev. 95, 16 Mr
- 1828 Miscellaneous proceedings, etc. Suits may be brought by persons interested in an estate in case of administrator or executor claiming property belonging to estate of acquiescing in claim of others thereto. Ind. 220, 6 Mr
- 1829 Notices required by '97, 106 relating to settlements of estates may be given by county clerk without order from judge. Nev. 85, 4 Mr
- 1830 Securities in which an executor of an estate may invest. N. J. 108, 23 Mr
- 1831 Executors and administrators may redeem real estate sold under decree or judgment and may borrow money on mortgage to fund indebtedness. Or. p. 34, 15 O '98
- 1832 Deposits in saving institutions by nonresidents may be paid to administrator or executor appointed in place where decedent resided if none has been appointed in Vermont. Amending Vt. S. §4085. Vt. 53, 15 N '98
- 1833 Distribution. Settlement. (*See also* Actions for partition, 2397) Executors or administrators cum testamento annexo may apply to chancellor for trustee to receive the fund devised for life. Amending '97, 583. Del. 295, 9 Mr
- 1834 Employers may pay to widow or minors of deceased employee wages due not exceeding \$100 without administration. Ga. p. 91, 20 D '98

- 1835 Regulating disposition of mining interests of decedents. Amending R. S. '87 §5499-503. *Id.* p. 377, 28 F
- 1836 Allowance may be made to widow or child out of *real or personal estate* [formerly income] in hands of special administrator appointed on account of pendency of petition concerning *appointment of administrator*. Amending P. S. ch. 130 §13. *Mass.* 311, 28 Ap
- 1837 Revision of laws as to distribution of estates. *Mass.* 479, 3 Je
- 1838 When assets are insufficient, expense of administration shall be paid from allowance to widow and minors if they have applied for appointment. Amending G. S. §4477. *Minn.* 149, 11 Ap
- 1839 Where executor or administrator has been discharged and final decree assigning residue not entered court may assign on petition. Amending G. S. ch. 45a. *Minn.* 343, 20 Ap
- 1840 Certain sections of R. S. '89 §252-59 relating to distribution of estate of deceased person amended. *Mo.* p. 41, 11 My
- 1841 Objections to settlement of estates may be filed with clerk if court not in session at time set for hearing. Amending '97, 106. *Nev.* 85, 4 Mr
- 1842 Notice of hearing on petition for distribution to be *personally served on all interested, at least five days before time specified, or published at least three weeks in newspaper*. Amending '97 ch. 106 §217. *Nev.* 95, 16 Mr
- 1843 When a balance of an estate remains in hands of executor, claimants not appearing, it may be paid into court; court's receipt a full discharge. *N. J.* 156, 24 Mr
- 1844 Settlement of estates of decedents amended. *Wash.* 98, '97. *Partly void.* §2 requiring executor acting without the intervention of probate court to file inventory within 30 days of passage of act and providing for settlement of estate by court, if insolvent, impairs vested rights. *People v. Superior court*, 57 P. 337.

## Guardianship

(See also Trusts, 1702; Orphans, 3506)

- 1845 General law relating to guardians. 9p. *Nev.* 55, 11 Mr
- 1846 **Appointment. Bonds.** Court may insert in guardian's appointment condition for *care and custody of minor's property*. Amending C. C. P. §1755. *Cal.* 3, 10 F
- 1847 Guardians to file accounts in orphans' court; records; appeal. Amending R. S. ch. 78 §3. *Del.* 292, 16 Mr; 293, 16 Mr
- 1848 County judges may appoint guardians of person and property of insane. *Fla.* 59, 27 My

- 1849 Minor's *father or mother* [formerly father if living, or mother while she remained unmarried] entitled to guardianship of minor. Amending R. S. '87 §5774. '97 p. 55 reenacted to correct *illegality in passage*. Id. p. 302, 18 F
- 1850 Providing for appointment of guardian for person on his own application. N. H. 35, 7 Mr
- 1851 Either father or mother may in lifetime of both, by will appoint the other guardian of child. Amending '96 ch. 272 §51. N. Y. 159, 29 Mr
- 1852 Authorizing the appointment by surrogate of special guardians of infants interested in transfer tax proceedings. Amending '97 ch. 284 §232. N. Y. 672, 25 My
- 1853 In actions for partition or foreclosure *and in all actions affecting title to realty or where infant is proper or necessary party* defendant, plaintiff will be entitled to order designating guardian ad litem for infant. Amending R. C. '95 §5226. N. D. 96, 24 F
- 1854 On guardian's bond *one* [formerly two] corporation *authorized to do business in state* shall be sufficient; premium to be paid by guardian, not by estate. Amending '97, 54. Tex. 131, 23 My
- 1855 Guardian shall give bond to *county court* [formerly to minor]. Amending R. S. '98 §3966. Wis. 351, 4 My
- 1856 **Sale, mortgage and lease of property.** Court may license sale of insane wife's *right of descent* [formerly dower] in husband's real estate. Amending R. S. ch. 71 §1. Me. 4, 10 F
- 1857 Guardian may be licensed to sell ward's realty to pay existing mortgages. Amending P. S. ch. 140 §1. Mass. 147, 14 Mr
- 1858 Probate court may license sale of ward's land when *estate therein* [formerly value of land] does not exceed \$1000 [formerly \$500]. Amending C. L. §9166. Mich. 236, 9 Je
- 1859 Guardians may lease mineral lands under license from probate court. Minn. 144, 11 Ap
- 1860 Guardians may sell land for schoolhouse sites, subject to approval of court. Minn. 210, 13 Ap
- 1861 Guardians of minors and insane persons may, under direction of probate court, pay mortgages on homestead or real estate out of personal property. Mo. p. 222, 18 My
- 1862 Lands of minors, lunatics, insane and feeble-minded persons may, with consent of chancellor, be mortgaged for their support and education. N. J. 212, 24 Mr
- 1863 Real estate of minors or incompetents may be sold or mortgaged by order of court; procedure. N. D. 110, 24 F
- 1864 **Other procedure.** Guardians may settle damage caused by laying out *public road*. Amending G. S. §4590-91. Minn. 196, 13 Ap

- 1865 To remedy lack of repealing clause in C. S. '97 §3237 relating to duty of guardians. Neb. 37, 7 Mr
- 1866 To remedy lack of repealing clause in act C. S. '97 §3241-42 relating to proceedings against guardians. Neb. 38, 7 Mr
- 1867 Disposition of money in amounts of less than \$20 paid into court for indigent children. N. C. 82, 13 F
- 1868 Amending Ann. S. '99 §7232 relating to legal restoration of persons adjudged insane or mentally incompetent. S. D. 95, 24 F
- 1869 Funds under \$150 adjudged property of minors without regular or general guardian may be retained by court for minor's support or education. Tenn. 177, 27 Mr
- 1870 Foreign guardians. Duty of probate judge amended as to money accruing in his county to minor residing in another county. Amending Code '96 §2389. Ala. p. 38, 23 F
- 1871 Guardian by laws of any other state or country may sue or be sued in this state. Kan. 144, 4 Mr
- 1872 Guardians of insane and incompetent. Proceedings on application for appointment of conservators slightly amended (G. L. '88 §476). Ct. 30, 30 Mr
- 1873 Guardian of insane married man may be authorized to release ward's estate by curtesy and rights by statute. Amending '86 ch. 245. Mass. 284, 20 Ap
- 1874 Probate judge shall inquire as to property of persons examined as to insanity and appoint guardian when no friends likely to petition for appointment; such guardian to be governed by general laws. Minn. 44, 6 Mr
- 1875 Demands against estate of insane person to be presented to probate court within two years from notice of appointment of guardian. Amending R. S. '89, 86. Mo. p. 227, 21 Mr
- 1876 If no guardian for an idiot has been appointed by orphans' court of county, chancellor of state may appoint one. Amending '74 Revision p. 323. N. J. 101, 22 Mr
- 1877 Power of court to appoint special guardians of incompetent persons amended (C. C. P. §2342). N. Y. 350, 18 Ap
- 1878 Conservator of drunkard or spendthrift to be appointed; provisions relating to guardian and ward to apply where applicable. N. D. 65, 8 Mr
- 1879 Amending powers of guardians appointed to care for property of feeble-minded. Amending '95 ch. 220 §6. Pa. 90, 28 Ap
- 1880 Guardians of persons adjudged mentally incompetent; care of members of family dependent on such person for support. Amending Vt. S. §2760. Vt. 58, 17 N '98

- 1881 Guardian ad litem to be appointed for insane plaintiff, or defendant on application of friend in 30 days from service of summons in state or 60 days out of state, or on application of anyone thereafter. Wash. 91, 13 Mr

## Administration of justice

### Practice of law

(See also Attorney general, 2676; Prosecuting attorneys, 2683-97)

- 1882 Admission to bar. Board of examiners in law to be appointed by supreme court; fees. Amending '97 p. 85. Ga. p. 83, 19 D '98
- 1883 Submitting constitutional amendment authorizing legislature to prescribe qualifications for admission to bar. *Vote November 1900.* Ind. 259, 22 F
- 1884 General law regulating admission of attorneys. Me. 133, 17 Mr
- 1885 Board of six examiners created; appointed by supreme court. Vt. 157, 4 N '98
- 1886 Revision of law; state board of law examiners established. Wy. 28, 16 F
- 1887 Applications for admission to practise law to be made to city court [formerly to chancery, circuit or city court]. Amending '97 p. 1482. Ala. p. 61, 14 D '98
- 1888 Examinations for bar by circuit judge and [formerly or] two members of bar in open court at regular or special term; certificate to be recorded. Amending R. S. §979. Fla. 84, 2 Je
- 1889 Any [formerly any white male] citizen may be admitted to practise law. Amending R. S. '87 §3990. '97 p. 53 reenacted to correct illegality in passage. Id. p. 302, 18 F
- 1890 Admission to bar amended so as to exempt certain persons from rules of supreme court (R. S. '74 ch. 13 §1). Ill. p. 81, 21 F '99. *Unconstitutional*, because special legislation and because act of admitting to the bar is a judicial one and can not be exercised by legislature. In re Day, 54 N. E. 646.
- 1891 Sex no bar to practice of law. Me. 98, 16 Mr
- 1892 Graduates of any law school of good standing in state who have taken three years course may take examination without study in attorney's office. Amending G. S. §6178. Minn. 60, 18 Mr
- 1893 Enlarging the number of law schools, graduates of which are admitted without examination. Amending '97 p. 38. Mo. p. 43, 12 Ap
- 1894 Minor amendments to '97 ch. 7 §4, 11 relating to the practice of law. Neb. 5, 22 Mr

- 1895 Any citizen of the *state* [formerly United States] possessing necessary qualifications entitled to admission as attorney in all courts. Amending '93 ch. 3. Nev. 16, 28 F
- 1896 Oath or affirmation to be filed by persons heretofore admitted to practise law amended; official register of attorneys and counselors at law to be printed. Amending '98 ch. 165 §1, 4, 5. N. Y. 225, 3 Ap
- 1897 Miscellaneous. Attorneys may be removed or suspended from practice for habitual intemperance. Amending R. S. '87 §4002. '97 p. 55 reenacted to correct illegality in passage. Id. p. 302, 18 F
- 1898 Revocation of attorney's license constitutes forfeiture of office as attorney. Amending R. C. '95 §432. N. D. 105, 15 F
- 1899 Supreme court only may suspend an attorney, or revoke his license. Amending Ann. S. '99 §731, 732. S. D. 49, 6 Mr
- 1900 Attorney's lien upon client's cause of action amended; court may enforce lien. C. C. P. §66. N. Y. 61, 9 Mr
- 1901 Plaintiff's attorney has lien on right of action from time of filing suit or date of employment, if record shows such employment. Tenn. 243, 13 Ap
- 1902 Unless pardoned by governor or president, a man who has been convicted of an infamous crime not to practise as attorney. Repealing C. L. '97 §3777. N. M. 35, 11 Mr
- 1903 Unlawful for one not admitted to practice of law to advertise himself as lawyer. Pa. 95, 28 Ap

## Courts

(Procedure even though peculiar to special courts is given according to its subject matter in civil and criminal procedure. The names and general organizations of courts vary greatly in different states. Courts are here grouped according to actual jurisdiction. The precise names of the courts are preserved in entries and subordinate headings)

- 1904 General. (Provisions applying to two or more kinds of courts) Creating office of supernumerary judge; elected for term of six years to hold circuit or chancery courts when judges or chancellors fail to attend. Ala. p. 236, 20 F
- 1905 Submitting constitutional amendment reorganizing judicial department, establishing three district courts of appeal, with final jurisdiction in certain cases except when conflicting with former decisions. 6p. Vote November 1900. Cal. j. r. 37, 18 Mr
- 1906 Providing for payment of incidental expenses of court of general sessions, superior court and court of chancery. Amending '91, 254. Del. 298, 9 Mr
- 1907 Expenses to be paid district judges and supreme court justices amended (R. S. '87 §6146-50). '93 p. 66 reenacted to correct illegality in passage. Id. p. 181, 9 F

- 1908 City judges may interchange with each other and with circuit, superior, county and probate judges. Amending R. S. '97 ch. 37 §245. Ill. p. 130, 21 Ap
- 1909 Justice of supreme or superior court after 10 years consecutive service in either or both courts may retire at 70 years on three-fourths pay; or if incapacitated, at 60 years, after 15 years service, on approval of governor and council. Mass. 310, 28 Ap
- 1910 Submitting constitutional amendment: judges of supreme and district courts and chancellor of chancery court to be *elected* [formerly appointed by governor with consent of senate]; term of supreme court judges *eight* [formerly nine] years. Submitted November 1899 but vote has not been canvassed. Miss. 83, 29 Ja '98
- 1911 Fixing time of holding supreme and district courts. N. M. 4, 4 F
- 1912 Vacancies in supreme or superior courts to be filled for unexpired term at next general election. N. C. 613, 7 Mr
- 1913 Term of court to be extended into next term when necessary to dispose of case on trial by court or jury. Tenn. 40, 1 Ap

#### Supreme courts.<sup>a</sup> Appellate courts

- 1914 Organization. New supreme court commission to succeed present; term two years. Cal. 14, 17 F
- 1915 Supreme court may fix terms of its sessions; salaries of officers and employees of court. '90-91 p.11; '93 p.63 reenacted to correct illegality in passage. Id. p. 6, 2 F
- 1916 Submitting constitutional amendment fixing number of supreme court judges at not less than *five* nor more than *11* [formerly three to five]. Vote November 1900. Ind. 260, 28 F
- 1917 Submitting constitutional amendment: supreme court to consist of *seven* [formerly three] justices; not all cases to be heard by whole court, but in that case concurrence of four justices necessary. Vote 1900. Kan. 314, 4 Mr
- 1918 Each supreme court justice may spend \$1000 [formerly \$800] for clerical help; appropriation \$5000 [formerly \$4000]. Amending C. L. §233, 235. Mich. 271, 23 Je
- 1919 Submitting constitutional amendment permitting remaining justices, in case any justice is disqualified, to call on district judges to assist in particular case. Mont. p. 57, '97. Unconstitutional. Not entered in full on journals of legislature before submission to people. Durfee v. Harper, 56 P. 582.

<sup>a</sup>Including only those highest in state and of whatever name — thus having "court of appeals" of New York but not its "supreme court." In New York, New Jersey and elsewhere the "supreme court" is a district court and is classed below. The court of appeals in New York, New Jersey, Kentucky and Maryland is the highest court, but in Colorado, Kansas, Missouri and Texas it is subordinate to the supreme court.

- 1920 Submitting constitutional amendment providing that district judges may be called on to act in a cause in place of such supreme court justices as are disqualified to act. *Vote November 1900.* Mon. p. 152, 7 Mr
- 1921 Supreme court judges to receive personal expenses in addition to salary. N. H. 67, 10 Mr
- 1922 Fixing compensation of special judges of court of errors and appeals. Amending R. S. 1874 p. 118. N. J. 125, 23 Mr
- 1923 Submitting constitutional amendment: when majority of judges of court of appeals certify to necessity, governor to designate four justices of the supreme court to serve temporarily as associate judges; no more than seven judges to sit in any case. *Adopted November 1899.* N. Y. p. 1603, 25 Ap
- 1924 Submitting constitutional amendment increasing judges of supreme court to *five* [formerly three]. *Vote June 1900.* Or. p. 143, 18 F
- 1925 Clerk. Clerk to appoint chief deputy; salary \$2400. Amending P. C. §751, 756. Cal. 103-4, 20 Mr
- 1926 Record of every original cause in supreme court to be made by clerk, *unless both parties agree that none shall be made.* Amending C. S. '97 §6197. Neb. 86, 24 Mr
- 1927 Clerk and deputies to be paid *salary* [formerly fees]; fixing fees to be paid by litigants. Repealing Ann. L. '87 §3338; '89 p. 4 §2. Or. p. 167, 18 F
- 1928 Repealing certain acts relating to fees of clerks. Pa. 27, 4 Ap
- 1929 Reporter. Salary of supreme court reporter \$3000 [formerly \$2000]. Minn. 270, 18 Ap
- 1930 Office of reporter abolished; justices of the court to report cases. Repealing certain sections of P. C. '95 ch. 6 art. 2. Mon. p. 72, 10 Mr
- 1931 Salary of reporter \$1500 [formerly \$300]; no extra compensation for stenographers or proof readers. Repealing '97, 138. N. D. 154, 28 F
- 1932 Additional help for reporter authorized; expense \$1000. Wis. 328, 3 My
- 1933 Other employees. Each judge of supreme court allowed a private secretary; salary, \$2000. Amending R. S. '97 ch. 37 §17a; '95 p. 148. Ill. p. 138, 17 Ap
- 1934 Supreme court may appoint necessary clerical assistants for justices. Or. p. 4, 6 F
- 1935 Terms. Term of supreme court to begin second *Monday* [formerly Tuesday] in November. Amending Code '96 §3828. Ala. p. 46, 21 F



- 1936 Session to be held *in Fargo in March, in Grand Forks in September, in Bismarck in April and October*; all appeals, motions and hearings except for admission to bar to be heard at Bismarck unless written notice be filed 20 days before term.  
N. D. 153, 5 Mr
- 1937 Court to convene on second Mondays of *February* [formerly January] May and *October* [formerly September]. Amending R. S. '98 §658.  
U. 77, 20 Mr
- 1938 Time of holding supreme court.  
Vt. 36, 31 O '98
- 1939 Reports. Reducing price of supreme court reports from \$2 to \$1.50 a volume. Amending Code §3635.  
N. C. 37, 26 Ja
- 1940 Amending distribution of reports (Code §3635).  
N. C. 667, 8 Mr
- 1941 Amending Ann. S. '99 §628, 630, 632 relating to contract for printing reports.  
S. D. 122, 6 Mr
- 1942 Appellate courts. Jurisdiction of court of appeals amended ('91 p. 118 §4, 15).  
Col. 92, 24 Mr
- 1943 Fixing time and place of holding appellate courts. Amending '81 p. 64; see R. S. '97 ch. 37 §19.  
Ill. p. 128, 22 Ap
- 1944 Existence of appellate court extended to *Mar 1, 1903* [formerly Jan. 1, 1900]; elections. Amending '97 ch. 9.  
Ind. 22, 7 F
- 1945 Authorizing any division of court of appeals to transfer to any other division of same department such cases as will accelerate early hearing of all cases.  
Kan. 120, 2 Mr
- 1946 Submitting constitutional amendment creating intermediate court between circuit and supreme court to have such jurisdiction as law may prescribe. *Rejected by the people April 1899.*  
Mich. j. r. 6
- 1947 Clerk of appellate court to preserve at least one copy of abstracts and briefs [formerly and bind them annually with an index]. Amending R. S. '89 §2253.  
Mo. p. 109, 3 Je
- 1948 Submitting constitutional amendment providing that governor may designate additional justices to serve in appellate division of supreme court if their necessity is certified to by presiding justice of any division. *Adopted November 1899.*  
N. Y. p. 1599, 12 Ap
- 1949 Expense of printing calendars for terms of appellate division of supreme court to be a charge on *state* [formerly county]. Amending C. C. P. §20.  
N. Y. 523, 5 My

## Circuit courts

- 1950 Jurisdiction. Practice. Terms. Dividing state into judicial circuits and chancery districts and fixing times of holding courts.  
Tenn. 427, 22 Ap

- 1951 Before salary is allowed, circuit judge must swear that no case remains undecided 90 days after submission, exclusive of time actually disabled by sickness. **Wis.** 107, 30 Mr
- 1952 **Judges.** Circuit judge reduced to half pay while his place is filled by special judge. **Ala.** Code §930, '96. *Unconstitutional.* Violates provision forbidding diminution of judges' salaries during term of office. *White v. State*, 26 So. 343.
- 1953 Submitting constitutional amendment permitting legislature to provide additional circuit judges in St Clair county. *Adopted by the people April 1899.* **Mich.** j. r. 3, 7 Mr
- 1954 **Officers. Clerks.** Each circuit judge assigned to duty in any branch or district of appellate court allowed one clerk. **Ill.** p. 128, 17 Ap
- 1955 Revising and reclassifying fees of circuit court clerks. Amending R. S. '97 ch. 53 §14. **Ill.** p. 217, 24 Ap
- 1956 Duties of circuit court reporters amended ('89 p. 142). **Or.** p. 230, 22 F

## District courts

- 1957 **Jurisdiction. Terms.** Fixing judicial districts and times of holding district courts. **Ari.** 11, 24 F
- 1958 Terms of district courts amended (C. C. P. '87 ch. 3 t. 1). '90-91 p. 4 reenacted to correct illegality in passage. **Id.** p. 3, 2 F
- 1959 May hold adjourned or special terms outside county seats. Amending '97, 361. **Minn.** 233, 20 Mr
- 1960 Amending several sections of '98, 228 concerning district courts. **N. J.** 211, 24 Mr
- 1961 Repealing '97 ch. 27 §6 allowing adjournment of any term on request of county commissioners. **Wy.** 75, 21 F
- 1962 **Judges.** Salary of judge in counties of 100,000, \$5000 [formerly \$3500]. **Minn.** 134, 7 Ap
- 1963 Amending '97 ch. 66 §4 apportioning county taxes for district judges' salary fund. **Nev.** 98, 16 Mr
- 1964 **Officers.** Amending C. S. '97 §3089 relating to fees of clerk of district court; if the fees exceed a certain amount, graded by population, such excess to be paid into county treasury. **Neb.** 31, 3 Ap
- 1965 In appeals, clerk of district court shall, on payment of his fees, send transcript of records to supreme court. **N. M.** 80, 16 Mr
- 1966 General act fixing salary of clerk of district court, providing for deputies whenever commissioners deem necessary and fixing court fees. Repealing R. C. '95 §2061-67. **N. D.** 64, 8 Mr
- 1967 Compensation of triers in district court \$5 to \$10 a day, to be fixed by court. **Minn.** 26, 18 Mr

- 1968 Repealing '72, 72 authorizing district judges to appoint court commissioners. Nev. 105, 20 Mr
- 1969 Same person can not act as district court commissioner and clerk of court; commissioner not to act as attorney in case before himself; clerk not to act as attorney in court of which he is clerk. Wy. 53, 18 F
- 1970 Duties and compensation of stenographic reporters of district courts amended ('89 p. 25). '90-91 p. 233; '95 p. 69 reenacted to correct illegality in passage. Id. p. 163, 9 F
- 1971 Judges in districts containing no cities over 50,000 may each appoint one court reporter; salary \$800 to \$1500. Minn. 141, 11 Ap
- 1972 Generally amending R. S. '96 §721-28 relating to stenographers for district courts. U. 72, 9 Mr

**Other intermediate courts**

- 1973 Superior court. Submitting constitutional amendment making *entire* [formerly half] salaries of judges of superior court payable by state and authorizing each judge to appoint court stenographer. *Vote November 1900.* Cal. J. r. 36, 18 Mr
- 1974 To appoint clerks and assistant clerks for the court; term; salary; fees to be turned over to state; bonds. Ct. 214, 20 Je
- 1975 Submitting constitutional amendment for election of judges of superior court by *people* [formerly general assembly]. *Adopted 1898.* Ga. p. 16, 21 D '97
- 1976 Jurisdiction amended; other amendment to '95, 128 relating to superior court. Pa. 144, 5 My
- 1977 Supreme court. Submitting constitutional amendment providing that Baltimore may increase salary of judges of supreme bench of Baltimore. *Rejected November 1899.* Md. 193, 9 Ap '98
- 1978 Referring to next legislature constitutional amendment providing for election of three additional justices of supreme court in second judicial district. N. Y. p. 1599, 5 Ap
- 1979 Chancery court. Authorizing the holding of adjourned terms of chancery courts. Ala. p. 84, 3 F
- 1980 County courts. County judges may interchange with each other and perform each others duties. Col. 91, 1 Mr
- 1981 During disability of county or probate judge the clerk of court shall designate county or probate judge to hold court. Amending R. S. '97 ch. 37 §239a. Ill. p. 130, 24 Ap
- 1982 A railroad corporation any portion of whose road is within a county, is subject to jurisdiction of court of that county. Amending C. C. P. §34. N. Y. 320, 17 Ap

Administration of justice

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- 1983 Salary of special deputy clerks appointed by county clerks in counties of 130,000 amended (C. C. P. §89). N. Y. 604, 16 My
- 1984 Salary of judges of courts of increased jurisdiction in counties of less than 18,000, \$1000 [formerly \$2000] a year. Amending R. C. '95 §6615. N. D. 62, 8 Mr
- 1985 Fixing salary of county judge according to *assessed valuation* [formerly population]. N. D. 68, 6 Mr
- 1986 County commissioners to fix number and compensation of deputies or clerks in county judge's office. Amending R. C. '95 §2069. N. D. 69, 7 Mr
- 1987 Clerks in counties of 90,000 may appoint one additional deputy; salary \$1200. Amending '97, 124. Tenn. 202, 5 Ap
- 1988 Time of holding county courts. Vt. 36, 31 O '98
- 1989 When vacancy occurs in office of county judge, election shall be held on first Tuesday of April next following; governor's appointee to hold *til first Monday of June* [formerly during residue of term]. Amending R. S. '98 §94s, 2441. Wis. 7, 3 Mr
- 1990 Expenses of county judge holding court out of his county to be paid by county where he holds court. Amending R. S. '98 §2450. Wis. 49, 23 Mr
- 1991 County court deemed open *always* [formerly when previous notice to interested persons not required]. Amending R. S. '98 §2449. Wis. 160, 12 Ap

Justice of the peace

- 1992 General jurisdiction. Justice has criminal jurisdiction in case punishable by not over \$500 [formerly \$100] or *six* [formerly three] months. Fla. 68, 11 My
- 1993 Justices outside of city wherein is a city court not to have jurisdiction over cases in which defendant lives in such city. Amending G. S. '97 ch.103 §19. Kan. 93, 4 Mr
- 1994 Jurisdiction amended ('94, 338); may try cases of petit larceny. Md. 128, '96. *Unconstitutional* as to cases of petit larceny; deprives the accused of jury trial. *Danner v. State*, 42 A. 965.
- 1995 Every justice shall have jurisdiction in all cases where the defendant or garnishee is an insurance company not incorporated by or organized in this state. Amending R. S. '89 §6125. Mo. p. 269, 17 My
- 1996 Justices not to hold court in a *room* [formerly building] in which liquors are sold. Amending C. C. P. §2868. N. Y. 105, 21 Mr
- 1997 Justice may have his office and transact business on fair grounds in his county during fair. Pa. 23, 3 Ap
- 1998 Civil jurisdiction of justices' courts slightly amended (R. S. '98 §688). U. 13, 3 Mr

- 1999 **Appointment.** Justices elected first Saturday in *December* [formerly January]. Amending Code '95 §101. *Ga.* p. 42, 7 D '98
- 2000 Number of justices not to exceed *two* [formerly three] for each township and *one* [formerly two] additional for each incorporated town; not more than five in cities of 100,000; county commissioners to designate places of holding office in such cities. Amending R. S. '94 §1485. *Ind.* 56, 22 F
- 2001 Providing for *two* [formerly three] justices in cities of 25,000 to 100,000 [formerly 80,000]. Amending C.S.'97 §2908. *Neb.* 25, 4 Ap
- 2002 Appointment of magistrates slightly amended ('97 ch.297 §8). *S. C.* 11, 3 Mr
- 2003 Increasing the number of justices in counties of 20,000. *S. D.* 107, 4 F
- 2004 Justice to give *one* bond for *entire term* [formerly renewed biennially]. Amending '71, 87. *Tenn.* 29, 27 Mr
- 2005 **Fees. Salary. Miscellaneous.** Justices to collect docket fee in every case, to be paid over to township treasury. Amending R. S. '94 §1641. *Ind.* 57, 22 F
- 2006 Township trustee to collect docket fees from justices quarterly and in cities of 100,000 to pay justices' salaries quarterly. Amending R. S. '94 §8072. *Ind.* 71, 22 F
- 2007 Removing limitation of fees of justices. Repealing '97 ch.15 §45. *Okl.* 14, 23 F
- 2008 Regulating fees of justices in vagrancy cases. *Pa.* 73, 28 Ap
- 2009 Justices to surrender certain papers etc. to successors in office; *penalty.* Amending R.S.'87 pt 3 t.12 ch.11. *Id.* p.401, 6 Mr
- 2010 Justice's docket, three years after last judgment rendered, to be deposited with clerk of circuit court, who is authorized to issue execution where none already issued. Amending R.S.'04 §1495. *Ind.* 55, 22 F
- 2011 County courts may provide blank dockets to justices whose jurisdiction lies in townships of less than 10,000. Amending R.S.'89 ch.94 art.3. *Mo.* p. 270, 1 My
- 2012 Justices' civil docket book to be furnished by town. Amending C. C. P. §3140. *N. Y.* 221, 1 Ap
- Municipal and police courts.** (Includes provisions relating to justices of the peace in municipalities)
- 2013 **Municipal and city courts.** Magistrates to be allowed *20c* [formerly 30c] a folio for taking testimony in preliminary examinations in certain cases. Amending R. S. '87 §7525. *Id.* p. 433, 13 Mr
- 2014 Municipal and police courts have no civil jurisdiction unless defendant resides in county. *Me.* 66, 11 Mr

- 2015 Municipal and police courts and trial justices have jurisdiction in cases for defrauding innkeepers not over \$20. Amending '95 ch. 119 §2. **Ma.** 88, 16 Mr
- 2016 Term of municipal judge *four* [formerly three] years. Amending '95, 229. **Minn.** 127, 3 Ap
- 2017 In all cities having municipal courts special judges shall be elected to act at request of regular judge, or mayor in case of sickness or absences; costs revised. Amending '95, 229. **Minn.** 271, 18 Ap
- 2018 When village municipal judge is disqualified, council shall appoint attorney agreed on by all parties; otherwise judge shall appoint. Amending '97, 237. **Minn.** 289, 19 Ap
- 2019 One district court to be established in each city of from 20,000 [formerly 15,000] to 100,000 and in those of less than 20,000 adopting act within three months. Amending '77, 150. **N. J.** 4, '98. *Unconstitutional* as to cities of less than 20,000 adopting act within three months; not a proper basis of classification. *De Hart v. Atlantic City*, 43 A. 742.
- 2020 District courts may be established, by vote, in cities of less than 20,000; salaries of judges and clerks in such cities to be fixed by city council. Amending '98 ch. 228 §1, 6, 8. **N. J.** 91, 22 Mr
- 2021 Regulating fees of magistrates and aldermen in vagrancy cases. **Pa.** 73, 28 Ap
- 2022 Corporation courts created for all cities, towns and villages; jurisdiction in criminal cases under ordinances, and concurrent jurisdiction with justices in state cases punishable by fine of \$200 or less. **Tex.** 33, 22 Mr
- 2023 Common council in cities under 150,000 having no police court may fix fees of officers and magistrates in prosecuting violations of ordinances. Amending R.S.'98 §925 subdiv. 62. **Wis.** 84, 30 Mr
- 2024 Police courts. Providing for police judge for cities of metropolitan class over 80,000. Amending C. S. '97 §2908. **Neb.** 24, 4 Ap
- 2025 Cities over 20,000 and precincts partly within and without to elect two justices, attorneys admitted to supreme court, and one constable; mayor to appoint one of the two as police justice, process to run through state. **Wash.** 85, 13 Mr
- 2026 Justices. *Miscellaneous.* One justice for each city or town of 10,000 to 30,000 [formerly 15,000 to 34,000]; two for each city or town of over 30,000 [formerly 34,000 to 100,000]; salary \$2000; jurisdiction in violations of ordinances. Amending C.C.P. §103. **Cal.** 73, 10 Mr

- 2027 Salary of justices in cities of 100,000, \$2000 [formerly fees].  
Amending R. S. '94 §1641. Ind. 57, 22 F
- 2028 Justices in townships having cities of 35,000 to 60,000; salary  
\$1000. Ind. 222, 6 Mr
- 2029 Justices in certain cities of 15,000 to 35,000 to receive *salary*  
[formerly fees]. Amending R. S. '89 §5005. Mo. p. 215, 15 My
- 2030 In cities of 300,000 when the business of justice court exceeds  
2200 [formerly 2000] cases annually, there shall be established  
*two justice courts* [formerly the clerk appointed a deputy clerk].  
Amending '91 p.175; '97 p.142. Mo. p. 268, 29 Ap
- 2031 Creating office of clerk in justices' courts in cities of 50,000; ap-  
pointment; duties. Or. p. 73, 17 F

## Court officers

(For specific duties consult index)

- 2032 Fees. Clerks, masters in chancery and other officers not to be  
required to account for fees collected for preparing pension  
papers. Amending '97, 124. Tex. 165, 7 Ap
- 2033 Peace officers—general. Deputies, marshals, constables and  
other peace officers to be citizens of state. '90-91 p. 15 reenacted  
to correct *illegality in passage*. Id. p. 9, 2 F
- 2034 Amending '98, 497 relating to appointment of peace officers with  
jurisdiction within industrial communities of over 100.  
S. C. 45, 15 F
- 2035 Verbal correction in R. S. '98 §888 relative to peace officers of  
villages. Wis. 351, 4 My
- 2036 Fees of sheriffs, marshals and other officers in criminal cases  
amended (R.S.'98 §4990). Mo. p.211, 24 My
- 2037 Fees of constable or sheriff for arrest of person under bond to  
appear. Vt. 43, 19 N '98
- 2038 Sheriff and constables may be paid for pursuing escaped prisoner  
charged with *any criminal offense* [formerly felony]. Amend-  
ing R. S. '98 §731, 843. Wis. 351, 4 My
- 2039 Sheriffs. Fees for removing prisoners amended (Code '96 §4565);  
duty as to obtaining and indorsing a removal order.  
Ala. p. 57, 15 F
- 2040 Judge of county court may approve sheriff's bond *in vacation*.  
Amending Digest '94 §6560. Ark. 44, 9 Mr
- 2041 Appointment of deputy sheriff to be approved by county court  
*or judge in vacation*. Amending Digest '94 §7156.  
Ark. 171, 8 My
- 2042 Fixing fee for sale of property under execution to plaintiff.  
Amending '93, 87. Ari. 57, 16 Mr

- 2043 Amending number of deputy sheriffs in counties ('95, 140).  
Ct. 2, 15 Mr
- 2044 Amending R. S. '93 ch.24 §9, 10 relating to sheriff's bond.  
Del. 202, 16 F
- 2045 Sheriff's fees increased to cover cost of United States revenue stamps required on land titles. Amending Code '95 §5401.  
Ga. p. 58, 21 D '98
- 2046 Fee for summoning witness in criminal case 50c. Amending Code '95 v. 3 §1107.  
Ga. p. 62, 21 D '98
- 2047 Slightly amending R. S. ch.80 §2 as to filing sheriff's bond.  
Me. 72, 15 Mr
- 2048 Sheriffs not to appoint nonresident deputies. Mo. p. 167, 29 Ap
- 2049 Amending fees for transporting prisoners ('98 §92, 237).  
N. J. 79, 22 Mr
- 2050 Amending compensation of sheriffs ('97 ch.60 §10).  
N. M. 5, 4 F
- 2051 Repealing C. L. '97 §739 prohibiting sheriffs from succeeding themselves in office.  
N. M. 43, 15 Mr
- 2052 Amending duties of sheriffs (Code §2079). N. C. 25, 31 Ja
- 2053 Fees and commissions amended slightly (R. S. '98 §974).  
U. 18, 6 Mr
- 2054 Duties of sheriff amended (R.S.'98 §599).  
U. 49, 9 Mr
- 2055 **Bailiffs.** In counties having criminal or superior courts, judge of each court may appoint one bailiff and fix salary, not to exceed \$75 a month.  
Ind. 83, 24 F
- 2056 Judge of criminal, circuit or superior court may appoint bailiff at \$2 a day.  
Ind. 112, 28 F
- 2057 Supreme court bailiff [formerly sheriff of Ormsby county] to be appointed by judges; salary \$150 [formerly \$5 a day].  
Nev. 41, 6 Mr
- 2058 Amending appointment, duties and salary of sergeant-at-arms in court of common pleas etc. ('89, 46).  
N. J. 208, 24 Mr
- 2059 Salary of supreme court bailiff \$300 [formerly \$3 a day]. Amending '90-91, 50.  
Wy. 32, 16 F
- 2060 **Constables.** Constable's fees: for serving criminal warrant, \$1; for taking prisoner to jail, \$1; mileage over seven miles, 5c a mile.  
Ark. 190, 8 My
- 2061 Office of constable is vacant if person elected fails to file bond.  
Ot. 133, 31 My
- 2062 Constables elected first Saturday in *December* [formerly January]. Amending Code '95 §105.  
Ga. p. 43, 22 D '98
- 2063 Constables in certain cities of 15,000 to 35,000 to receive *salary* [formerly fees]. Amending R. S. '89 §4997. Mo. p. 214, 15 My



- 2064 Appointment of deputy constables in cities of 300,000 amended ('91 p.175). Mo. p.269, 29 Ap
- 2065 *In a township where there is no duly elected constable* a justice of the peace may, on request, appoint special constables. Amending C. C. P.'95 §1688. Mon. p. 138, 28 F
- 2066 Providing for *two* [formerly three] constables in cities of 25,000 to 100,000 [formerly 80,000]. Amending C.S.'97 §2908. Neb. 25, 4 Ap
- 2067 Constables attending prisoners under examination before justice of the peace to be allowed fee of 50c. Amending '98, 237. N. J. 22, 13 Mr
- 2068 Fixing number of constables in each township, term of office and oath. Amending R. S. '46 p.850; repealing '84, 130; '80, 196; '84, 18. N. J. 172, 24 Mr
- 2069 Regulating constables' fees. Pa. 1, 17 F
- 2070 Fees for making returns to court and for attending elections, to be paid by counties. Pa. 20, 6 Ap
- 2071 County commissioners may deduct from salary of constable certain amounts paid other persons for services usually performed by constable. S. C. 6, 15 F
- 2072 Clerks of courts. Fee for writ of review 5c [formerly 40c]. Amending P. S. ch.190 §4. Mass. 91, 17 F
- 2073 Minor amendment to '98, 238 as to extra clerks for clerks of courts. Mass. 350, 9 My
- 2074 Blanks of sheriffs, constables and justices of the peace [formerly clerks of district and supreme courts also] to be prepared at their expense. Amending C. L. '97 §1027. N. M. 45, 15 Mr
- 2075 Regulating fees of clerks for recording papers; fees in criminal cases abolished and salaries fixed; certain counties excepted. S. C. 30, 3 Mr
- 2076 Stenographers. Judge of certain minor courts may call in stenographer when necessary; compensation. Ct. 160, 9 Je.
- 2077 Revision of law concerning shorthand court reporters. Ind. 169, 3 Mr
- 2078 Amending law relative to appointment of stenographer for grand jury ('85, 348; '94, 82; '95, 661; '97, 25; '99, 45). N. Y. 516, 4 My
- 2079 Amending compensation of court stenographers ('95 ch.48 §2). Okl. 31, 10 Mr
- 2080 Each court of civil appeals *may* [formerly shall] employ stenographer *who shall also be a typewriter*; salary \$600 [formerly \$1200] bond \$2000 [formerly \$5000]. Amending R.S.'95 art.1012. Tex. 78, 17 Ap
- 2081 Interpreters. City and police courts may, in criminal actions, employ interpreter; compensation. Ct. 33, 30 Mr

- 2082 An interpreter of Polish and Russian languages may, in counties of 150,000, be appointed to serve certain courts.  
N. J. 159, 24 Mr
- 2083 County attorney. Qualifications, powers and duties. *Reenacting with minor amendment, '90-91 p.46, unconstitutional on account of illegality in passage.* Id. p. 24, 2 F
- 2084 County attorney allowed \$1200 for clerk hire in counties of 100,000 to 185,000. Minn. 81, 22 Mr
- 2085 County attorneys in counties under 28,000 whose salary is fixed by law at \$700 or less may be granted \$300 additional.  
Minn. 131, 5 Ap
- 2086 Four assistant county attorneys in counties of 200,000; salaries \$100 to \$200 a month. Minn. 209, 13 Ap
- 2087 Prosecutor to pay cost in certain proceedings before justices in misdemeanors. Amending R.S.'89 §4358. Mo. p.174, 9 My
- 2088 Duty of county prosecuting attorney amended (R. S. '89 §4361).  
Mo. p. 175, 29 My
- 2089 Amending P. C. '95 §4450 relating to duties of county attorney.  
Mon. p. 76, 20 F
- 2090 Amending C. S. '97 §603, 606 relating to duties and salary of county attorneys. Neb. 6, 22 Mr
- 2091 State's attorney. Salary of attorney based on *assessed valuation* [formerly population]; assistant allowed, salary fixed by commissioners. Amending R. C. '96 §2058. N. D. 149, 6 Mr
- 2092 District attorney. Term to be *four* [formerly two] years; salary amended. Ann. L. '87 §2301, 2304. Or. p. 184, 18 F
- 2093 To prosecute criminal cases removed to inferior federal courts; to cooperate in all suits in which attorney general is required to appear. Tenn. 271, 22 Ap
- 2094 Prosecutor *shall* [formerly may] be taxed costs of frivolous prosecution. Amending Code '96 §7611. Tenn. 367, 22 Ap
- 2095 Salary of assistant district attorney general in counties of 105,000, \$1800. Amending '97, 24. Tenn. 384, 22 Ap
- 2096 Office of district attorney created; elected for four years; qualifications; duties; salary. U. 56, 9 Mr
- 2097 Solicitors general. Submitting constitutional amendment for election of solicitors general *by people of whole state* [formerly general assembly]. *Adopted 1898.* Ga. p. 16, 21 D '97
- 2098 Notaries public. Term *four* [formerly two] years. Amending P. C. §793. Cal. 13, 16 F
- 2099 Women over 21 eligible. Fla. 81, 2 Je
- 2100 Notary public to append date of expiration of his commission to every certificate or other document signed by him.  
Ind. 58, 22 F

- 2101 Notary's fee for notice of nonpayment of note or nonacceptance of bill 25c [formerly 50c]. Amending G. S. §5557.  
Minn. 194, 13 Ap
- 2102 Commissioners of notaries may be signed by *secretary to the governor* [formerly governor's private secretary]. Amending '92 ch.681 §8. N. Y. 41, 6 Mr
- 2103 Governor to appoint not more than *five* [formerly four] notaries for each 1000 population in each county. Amending '93 ch.248 §81. N. Y. 357, 18 Ap
- 2104 Fees of notaries amended (G. L. ch.295 §18). B. I. 625, 3 Mr
- 2105 **Special commissioners.** Special commissioners to be notified of expiration of commission; may administer oaths; take acknowledgments of parties to arbitration or minor's nomination of guardian; misdemeanor to personate or act after commission expires. Mass. 178, 21 Mr
- 2106 **Coroners.** Justices of the peace to be coroners in their own townships. Nev. 10, 23 F
- 2107 *In counties having a city of 250,000* the coroner must summon jury; other amendments to Crim.P. §773, 777-78, 780-81 relating to coroners. N. Y. 404, 27 Ap
- 2108 Board of supervisors may decide that coroners shall receive salary instead of fees. Amending '92 ch.686 art.9. N. Y. 447, 27 Ap
- 2109 **Medical examiner.** New notice not required from medical examiner if dead body is not over 50 rods beyond limits of district of court notified; such court shall proceed with inquest. Mass. 207, 29 Mr
- 2110 **Inquests.** Fire inquests and inquests over dead body when undertaken by selectmen or mayor to be conducted by county state's attorney. Vt. 117, 15 N '98
- 2111 Per diem of justices for inquests on the dead and buildings burned \$3 *for first day; \$2 thereafter.* Vt. 134, 10 N '98
- 2112 Amending Okl.S. §1745 relating to inquests. Okl. 11 art.1, 21 F

### Civil procedure—general

(Including such provisions as apply to both civil and criminal cases)

- 2113 Superior court to make rules and orders giving effect to the practice act; secretary of state to print and distribute the rules. Ct. 5, 15 Mr
- 2114 Commission of five created to examine laws relating to practice and procedure in the courts of the state; report to governor in 1901 desirable amendments and additions. Ill. j. r. p. 380, 15 Mr

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- 2115 To remedy lack of repealing clause in certain acts amending code of civil procedure. Neb. 88, 28 Mr; 81, 30 Mr; 82, 30 Mr; 83, 30 Mr; 84, 30 Mr; 85, 28 Mr
- 2116 Amending rules relating to practice in supreme and district courts. N. M. 75, 16 Mr
- 2117 General law for regulation of practice and proceedings in justices' courts. Repealing Ann.L.'87 ch.3, 4, 5, 6, 8, 9; '93 p.38. Or. p. 109, 17 F

Commencement of action

- 2118 "Common counts" of practice act may be used in the commencement of civil actions. Ot. 139, 31 My
- 2119 Law (G.S. §1376-77) governing commencement of actions in villages over 3000 extended to municipal courts in cities over 2000 where clerk issues summons. Minn. 143, 11 Ap
- 2120 Manner of commencing action in justices' court. Repealing R. S. '98 §3675-76. U. 42, 9 Mr
- 2121 Limitation. (See also Special actions, 2365) Person entitled to sue under any [formerly certain specified] laws under 21, insane or imprisoned out of state may sue in *three years* [formerly time specified by law] after removal of disability. Amending Digest '94 §4833. Ark. 123, 17 Ap
- 2122 Amending time within which suits may be brought on causes of action accrued or judgments or decrees rendered outside the state ('95, 106). Col. 113, 6 Ap
- 2123 No action maintainable on judgments of United States or state courts if cause accrued over 10 years before suit was brought and if debtor has been resident over 10 years. Amending G. S. §5135. Minn. 123, 3 Ap
- 2124 Action barred by laws of state or country in which it originated, to be barred in this state also. Amending R. S. '89 ch.103. Mo. p. 300, 24 My
- 2125 Amending C.C.P.'95 §516-17 relating to limitation of actions. Mon. p. 144, 20 F
- 2126 Amending limitation of action (C.L.'97 §2937-38). N. M. 63, 16 Mr
- 2127 Amending statutes of limitations as to married women (Code §148, 163). N. C. 78, 13 F
- 2128 Parties. When impracticable to bring all parties before court, one may sue or defend for all. Amending G. S. §5156. Minn. 4, 3 F
- 2129 Place of action. A person may be sued in county in which he resides, though he has contracted to perform the obligation in another county. Amending '98 ch.67 §1 ¶4. Ari. 20, 10 Mr

- 2130 Civil actions in courts of common pleas returnable without designating place of holding court. **Ot.** 83, 27 Ap
- 2131 Amending place of trial in civil actions (R.S.'87 §4123) '97 p.9 reenacted to correct illegality in passage **Id.** p. 292, 16 F
- 2132 When defendants residing in cities of 50,000 come within jurisdiction of justices' courts in other counties, action may be brought in such courts. Amending '97, 93. **Minn.** 321, 20 Ap
- 2133 Amending C. C. P. '95 §1480 relating to place of trials in actions in justices' courts. **Mon.** p. 148, 3 Mr
- 2134 Suits against territorial officers as such to be brought in county where their officers are situated, or at capital. **N. M.** 80, 16 Mr
- 2135 Minor amendments to Code §196-97 relating to place of holding trials. **N. C.** 104, 15 F; 504, 6 Mr
- 2136 Actions to be brought in justice court of precinct where one or more of defendants reside. **Wash.** 40, 7 Mr
- 2137 Complaint. In civil actions the clerk of court must indorse on complaint the year, month, day, *hour and minute* that it is filed. Amending R. S. '89 §4139. '95 p. 139 reenacted to correct illegality in passage. **Id.** p. 271, 14 F

#### Summons. Process generally

- 2138 Summons. Summons in justice's court *not* required to contain statement of cause of action. Amending C. C. P. §884. **Cal.** 84, 14 Mr
- 2139 Justice of peace may only on oath of plaintiff, issue forthwith writ of summons in cases of debt. Amending R.S.'93 ch. 99 §2. **Del.** 302, 9 Mr
- 2140 Fee for writ of attachment with summons or original summons with declaration \$1.57 [formerly 57c]. Amending R.S. ch.116 §31. **Me.** 87, 16 Mr
- 2141 Amending C. C. P. '95 §633 relating to issue of alias summons. **Mon.** p. 143, 17 F
- 2142 Plaintiff entitled to alias summons till service is made. **Nev.** 11, 23 F
- 2143 Form of summons in justice's court. Repealing R. S. '98 §3675-76. **U.** 42, 9 Mr
- 2144 Service of process—general, including summons. Sheriff may command *bona fide male citizens residents* [formerly male inhabitants] of his county to assist him in executing process. Amending R. S. '87 §7400. '93 p. 13 reenacted to correct illegality in passage. **Id.** p. 169, 7 F
- 2145 Law (G. S. §1376-77) governing service of summons in villages of 3000 extended to municipal courts in cities over 2000 where clerk issues summons. **Minn.** 143, 11 Ap

- 2146 Officer serving process to have right of action for his fees against person suing out process. N. H. 20, 1 Mr
- 2147 Mileage for serving process or subpoena in civil cases to be collected in advance. Or. p. 66, 17 F
- 2148 Justice of peace may depute any citizen to serve summons, if there be no acting constable or marshal. Amending R.S.'98 §3683. U. 70, 9 Mr
- 2149 Service of summons on a defendant outside the state or by publication amended (C.C.P. §438). N. Y. 301, 12 Ap
- 2150 Amending service of summons by publication; county judge may order; time of answer. Or. p. 5, 12 O '98
- 2151 Special defendants. Corporations. A resident of the state absent from *United States* [formerly the state] may execute a designation of another resident as a person on whom to serve summons. Amending C.C.P. §430. N. Y. 524, 5 My
- 2152 Service of summons on corporations amended slightly (R.S.'98 §2948). U. 51, 9 Mr
- 2153 Service of process against savings banks and trust companies in civil actions. Amending G. L. '88 §908. Ct. 134, 31 My
- 2154 Officer not disqualified for serving process for or against a savings institution by reason of being a corporator or officer thereof. Amending Vt.S. §1073. Vt. 39, 29 N '98
- 2155 In counties having no railroad station or ticket office process may be served on conductor. Amending C.L. §10,022. Mich. 260, 23 Je
- 2156 Foreign. Nonresidents. Amending service of summons on foreign corporations having no designated agent in state (R. S. '87 §4144). '97 p. 13 reenacted to correct *illegality in passage*. Id. p. 293, 16 F
- 2157 Summons for foreign corporation may be served on *any* [formerly any resident] agent thereof. Amending C. C. P. '93 §155. S. C. 26, 2 Mr
- 2158 Return of process. Process in civil actions brought to court of common pleas returnable on first Tuesday in any month except July and August; exceptions. Ct. 120, 17 My
- 2159 Summons issued by justice of peace in civil action not returnable before 9 a. m. nor after 5 p. m [formerly not before six nor after 20 days from date]. Amending '95, 55. Minn. 57, 13 Mr
- 2160 Punishment for disobeying subpoena of court of record \$250 [formerly \$20] or six months or both. Amending G. S. §5655. Minn. 207, 13 Ap
- 2161 Summons shall command defendant to appear before the justice not less than 10 nor more than 30 [formerly 74] days from date. Amending R.S.'89 §6145. Mo. p. 270, 23 Mr

- 2162 **Miscellaneous. Mesne process. Arrest.** Debtor arrested on mesne process may disclose in same manner as *one about to leave state* [formerly one arrested on execution]. Amending R.S. ch.113 §15. **Me. 17, 21 F**
- 2163 Repealing C.S.'97 §6438-43 relating to arrest before judgment on order issued by justice of the peace. **Neb. 91, 7 Mr**

**Trial. Pleadings**

- 2164 **Change of venue.** Petition for change of venue in civil suit may be resisted; defendant entitled to change if suit is brought out of county of plaintiff's residence or where wrong occurred, unless compelled in order to get service. Amending Digest '94 §7381. **Ark. 116, 13 Ap**
- 2165 Venue of suits between counties brought in county sued to be changed to adjoining county on motion of plaintiff. **Ga. 88, 9 D '98**
- 2166 Granting of petition for change of venue in vacation amended (R. S. '89 §2261). **Mo.p. 110, 18 My**
- 2167 Party applying for change of venue to pay costs *except when prejudice of inhabitants is alleged*. Amending R. S. '89 §2267. **Mo. p. 111, 15 Mr**
- 2168 Party in a civil cause before justice of peace may obtain change of venue by filing required affidavit *made either by himself or his agent or attorney*. Amending R. S. '89 §6240. **Mo. p. 272**
- 2169 If special proceedings be pending in county court and judge is disqualified, all farther proceedings may be held in court of adjoining county. Amending C. C. P. §52. **N. Y. 378, 19 Ap**
- 2170 Trial judge being taxpayer does not entitle either party to change of venue. Amending R. S. '98 §2623. **Wis. 40, 23 Mr**
- 2171 **Change of judge.** Causes *civil or criminal* may be transferred from justice of peace or county judge for prejudice. Amending R. S. §1615. **Fla. 63, 29 My**
- 2172 Municipal judge *in cases in which he is interested, would be incompetent as juror, or has been attorney before election*, may procure substitute. Amending '95, 229. **Minn. 102, 29 Mr**
- 2173 When party makes affidavit, supported by that of his attorney and another person, that judge is biased, another judge shall be called; party asking change shall pay expenses or give bond. **N. D. 51, 1 Mr**
- 2174 **Continuance. Postponement.** Continuance to be granted in any case in which party of counsel is member of legislature in actual attendance on session on first day of term. **N. D. 47, 10 F**
- 2175 Amending notice of order to stay proceedings (C.C.P.'93 §402). **S. C. 22, 6 Mr**

- 2176 **Pleadings. Motions.** Repealing '83, 219 overruling demurter in certain cases. Del. 304, 30 Mr
- 2177 Judges of superior and city courts to decide all motions within 30 days in counties of less than 50,000, within 90 days in counties of over 50,000; failure or refusal ground for impeachment. Ga. p. 89, 9 D '98
- 2178 Repealing R.S.'94 §1331 authorizing supreme court to require written, but not printed, briefs. Ind. 151, 3 Mr
- 2179 Clerk of superior court to send to interested parties notices of judgment ordered on demurrers and agreed statements of fact; 30 days for appeal. Mass. 357, 10 My
- 2180 Defendant in action for debt shall plead in 15 [formerly 20] days after service of declaration; *sheriff shall notify plaintiff* of return of *capias ad respondendum*; plaintiff shall thereupon declare in 15 days [formerly by end of next term]. Amending '46, 97. Mich. 168, 23 Je
- 2181 In circuit court defendant may, at close of plaintiff's evidence, ask for verdict in his own favor or demur to evidence, without resting case absolutely; on denial of motion, shall have exception and may then introduce testimony and defend on merits without waiving exception. Mich. 182, 12 Ap
- 2182 Amending C. C. P. '95 §720, 722 relating to pleadings in civil actions. Mon. p. 142, 22 F
- 2183 Trial of civil actions amended as to motion to dismiss or for judgment '97 ch. 109. N. C. 131, 21 F
- 2184 Either party [formerly party serving notice of trial] may file note of issue and place action on calendar and bring issue to trial. Amending R. C. '95 §5422. N. D. 114, 2 Mr
- 2185 Amending G.L. ch. 240 §10 relating to bills and petitions before appellate division of supreme court not pleaded to in due time. B. I. 671, 24 My
- 2186 Demurrer in civil action may be heard on five days notice; frivolous answer or reply [formerly and demurrer] may be stricken out on five days notice. Amending R.S.'98 §2681. Wis. 217, 19 Ap
- 2187 **Equity causes.** Answer of defendant in equity responsive to discovery sought can be rebutted only by two witnesses *provided discovery is expressly prayed for in plaintiff's petition*. Amending Code '95 §3950. Ga. p. 53, 20 D '98
- 2188 **Miscellaneous procedure.** Before trial of issue of fact five days notice to adverse party must be proved. Amending C. C. P. §594. Cal. 6, 14 F
- 2189 Order of trial of civil causes in court of appeals amended (C.C.P. §791). N. Y. 355, 18 Ap



- 2190 Order of preference among civil causes amended (C. C. P. §791).  
N. Y. 585, 12 My
- 2191 Plaintiff in justice's court may discontinue as to one of several defendants on such terms as court directs.  
Mich. 199, 10 My
- 2192 Repealing R.S.'74 p.383 §90 relating to nonsuits and discontinuances before justice of the peace and cases appealed from him.  
N. J. 187, 24 Mr
- 2193 Relating to dismissal of civil action without order of court.  
Okl. 24 art.1, 24 F
- 2194 Repealing '21, 66 as to champerty and maintenance.  
Tenn. 173, 7 Ap

**Evidence. Witnesses**

- 2195 Competence. Forms. Trained nurse not required to testify against patient. Amending Digest '94 §2919.  
Ark. 81, 2 Mr
- 2196 Physician without consent of patient not to be examined in civil or criminal cases as to information professionally acquired.  
Arl. 65, 16 Mr
- 2197 A party to the record of any civil action may be examined at instance of adverse party: rules.  
Col. 95, 1 Mr
- 2198 Minor amendments to '79 p.161; R. S. '97 ch.51 §4 in regard to testimony against surviving partners or joint contractors.  
Ill. p. 216, 24 Ap
- 2199 Amending testimony of husband and wife against each other (P. S. '91 ch.224 §20).  
N. H. 41, 8 Mr
- 2200 When a party or witness dies or becomes insane after trial of an action, his testimony given at the former trial may be read in new trial or hearing or in any subsequent trial or hearing of the same subject-matter between the same parties. Amending C. C. P. §830.  
N. Y. 352, 18 Ap
- 2201 Wife may testify against her husband in certain cases.  
Pa. 40, 11 Ap
- 2202 Transcripts from stenographic notes taken in supreme court under authority to be admitted as evidence in certain cases. Amending G. L. ch.225.  
R. I. 670, 24 My
- 2203 Husband or wife may testify against the other in actions for alienation of affections of either, or for criminal conversation with or seduction of wife. Amending '97 ch.2 §1.  
Wy. 81, 21 F
- 2204 Books. Papers. Laws. Certified copies of judgments and decrees of circuit courts admissible as prima facie evidence.  
Fla. 62, 29 My

- 2205 Records of *foreign countries* admissible as evidence. Amending G. S. §5706. Minn. 150, 11 Ap
- 2206 Records and files of engineering department of municipalities to be *prima facie* evidence. Minn. 284, 19 Ap
- 2207 Certain instruments to be received in evidence without proof of execution unless the issue is raised by affidavit. Amending R. S. '89 §2186. Mo. p. 108, 5 My
- 2208 Certificate of United States census official as to population to be *prima facie* evidence; United States signal service observations of weather to be *prima facie* [formerly presumptive] evidence. Amending C. C. P. §944. N. Y. 99, 17 Mr
- 2209 Abstracts of titles admissible in evidence when certified to by licensed abstractor or county recorder. U. 36, 9 Mr
- 2210 State librarian's certified copy of foreign statutes and opinions *prima facie* evidence. Amending R.S.'98 §4136. Wis. 351, 4 My
- 2211 **Miscellaneous regulations.** Kissing Holy scriptures not necessary in taking an oath. N. J. 193, 24 Mr
- 2212 Witnesses need not kiss Gospels in taking oath. Amending C. C. P. §845. N. Y. 340, 17 Ap
- 2213 Minor amendments to Code §581, 582 relating to examination of witnesses before trial. N. C. 65, 8 F
- 2214 Testimony in criminal trials may be taken by stenographers if state and defendant consent. Amending R. C. '95 §7960. N. D. 174, 7 Mr
- 2215 **Attendance and fees of witnesses.** Witness not obliged to go out of his county unless *committing magistrate*, trial judge or of district or supreme court indorses subpoena. Amending R. C. '95 §8369. N. D. 175, 8 Mr
- 2216 Salaried state officials summoned at expense of state to give expert testimony to receive only ordinary witness fees. Vt. 49, 22 N '98
- 2217 **Depositions. Affidavits.** Commissioner named by applicant for deposition to notify one named by opposite party; same fees as clerk of circuit court, to be paid in first instance by applicant, ultimately by defeated party. Fla. 66, 29 My
- 2218 In *all* counties [formerly of 20,000] commissioner before whom depositions are taken *has power, on notice being given to adverse party, to require witness to produce books and writings; contempt.* Amending Code '95 §5315. Ga. p.56, 57, 20 D '98
- 2219 Clerk of superior court is *ex officio* commissioner to take depositions when court falls to appoint or in case of vacancy; all witnesses to be examined in county of residence, before commissioner of such county. Amending Code '95 §5316. Ga. p. 57, 20 D '98

- 2220 Manner of taking depositions and using them. Amending R.S.'87 §6059-70. '93 p.152 reenacted to correct illegality in passage.  
Id. p. 215, 10 F  
Minor amendment. Id. p. 373, 14 Mr
- 2221 Depositions may be taken in such manner as court directs; court to prescribe kind of notice and manner of service; may authorize to take depositions generally; in equity depositions may be taken without state as in actions at law; court may direct production of books and papers. Amending P. S. ch.169 §41, 66.  
Mass. 123, 4 Mr
- 2222 Amending the taking of testimony, books and papers of a witness in the state for use in a court without the state (C. C. P. §914-15, 919).  
N. Y. 502, 3 My
- 2223 Depositions may be taken in shorthand, reduced to manuscript or typewriting and signed by witness; form of certificate; litigant's stenographer may act on consent of other side.  
Tenn. 276, 22 Ap
- 2224 Reading and signing of depositions may be waived by stipulation; in all other cases, party examined may be compelled to attend to read and sign. Amending R. S. '98 §4096.  
Wis. 29, 17 Mr
- 2225 Provisions as to notice of taking depositions in state govern outside state. Amending R. S. '98 §4112.  
Wis. 351, 4 My
- Jury. Verdict** (*See also* Criminal procedure—Grand jury, 2493; Jury, 2515)
- 2226 General law relative to juries; qualifications; exemptions; jury list; drawing names; grand juries.  
Wy. 23, 15 F
- 2227 Jury commissioners to be appointed by district judge; selection of jurors; venire; regulations.  
N. M. 66, 16 Mr
- 2228 In trials before justices of the peace jury to consist of from six to three, on agreement.  
Col. 110, 8 Ap
- 2229 Amending cases to be tried by jury ('97, 118).  
Ot. 187, 15 Je
- 2230 Jury fees to be advanced by party demanding jury trial before district court; exception; speedy trial.  
N. M. 65, 16 Mr
- 2231 In civil cases, the parties, except those acting in fiduciary capacity, may dispense with trial by jury and submit case to decision of court. Pa. 35, '74. *Partly void*. In so far as it excepts those acting in fiduciary capacity it conflicts with constitution. *Lummis v. Big Sandy land and manufacturing co.* 188 Pa. St. 27.
- 2232 Special jury may be summoned in civil actions, additional cost to be taxed to losing party. Tenn. Code §5841, '96. *Partly void*. In so far as it taxes cost of jury to losing party it destroys the impartiality of the jury and is unconstitutional. *Gribble v. Wilson*, 49 S. W. 736.

- 2233 Case not to be submitted to jury on special issues unless one or all parties request it. Amending R. S. '95 art.1333.  
Tex. 111, 12 My
- 2234 Jury commissioners. Jury commissioners to be appointed by judges in every county of 250,000 [formerly 100,000]. Amending '97 p.243. Ill. p.286, 24 Ap
- 2235 One jury commissioner to be a resident of town or city in which terms of court are held. Amending Ann. S. '97 §1385.  
Ind. 195, 4 Mr
- 2236 Creating office of commissioner of jurors in Richmond and Queens and in all other counties except eight accepting this act. N. Y. 441, 26 Ap
- 2237 Drawing. Qualifications. Manner of drawing for trial of contests of wills amended (Code '96 §4290). Ala. p.54, 23 F
- 2238 Regulating drawing of jurors in circuit courts. Fla. 75, 1 Je
- 2239 Order for drawing of jury for district court amended as to time of filing order with clerk (R. S. '87 §3952). Id. p. 335, 7 F
- 2240 Amending G. S. '97 ch.94 §22 relating to drawing of jurors when not enough are present to form panel. Kan. 121, 4 Mr
- 2241 In counties of 200,000 district court judges to make jury lists.  
Minn. 151, 11 Ap
- 2242 Fixing method of drawing petit juries in counties of 200,000.  
Minn. 240, 17 Ap
- 2243 When juror is discharged as unfit for duty, expense to be paid to county by town or city from which such juror was selected; notice of drawing of jurors in city to be posted in city hall.  
N. H. 101, 11 Mr
- 2244 Regulations for making up of regular general panel of trial jurors in counties having special commissioner of juries.  
N. Y. 623, 18 My
- 2245 Amending time of drawing jurors (Code §1722). N. C. 729, 8 Mr
- 2246 Petit jurors to be selected by lot; court to examine them. Amending G.L. ch.227. E. I. 624, 3 Mr
- 2247 Manner of selecting jurors in counties not organized into civil townships. Amending Ann. S. '99 §708. S. D. 75, 24 Mr
- 2248 Minor amendments to R. S. '98 §2544c relating to drawing of struck juries. Wis. 351, 4 My
- 2249 Civil jury consists of six. Amending R. S. §2854.  
Fla. 56, 3 Je; 74, 3 Je
- 2250 Ability to read and write English a qualification for juror. Amending C. P. '91 §55. Wash. 24, 3 Mr
- 2251 Exempting. Licensed engineers of steam boilers exempt from jury duty. Amending C. C. P. §1061. N. Y. 205, 1 Ap
- 2252 Marine engineers, city treasurers and their assistants exempted from jury duty. S. C. 28, 1 Mr

- 2253 Verbal changes in law as to exemption from jury duty (Code '81 ch.56 §2). W. Va. 56, 25 F
- 2254 Impaneling. Challenge. Jurors civil or criminal may be orally examined on voir dire by either party. Fla. 57, 4 My
- 2255 Venire falling on legal holiday to be made returnable on next day. Minn. 12, 9 F
- 2256 Objections to jurors must be made before they are impaneled for or charged with the trial. S. C. 23, 27 F
- 2257 Amending grounds for challenging (Ann.S.'90 6247, 8628). S. D. 72, 23 F; 73, 23 F
- 2258 Changing time of day at which petit jurors in county courts shall be summoned to appear. Vt. 40, 15 N '98
- 2259 Verdicts. In civil actions three fourths of jury may render verdict. Col. 111, 22 Ap
- 2260 Unlawful to attempt to improperly influence juror; penalty. Ct. 68, 19 Ap
- 2261 Three fourths of trial jury may render verdict in civil actions. Amending R.S.'87 §3938. '90-91 p.165 reenacted to correct *illegality in passage*. Id. p. 110, 6 F
- 2262 Submitting constitutional amendment: two thirds of jury in civil cases in courts not of record, and three fourths of jury in civil cases in courts of record may render verdict. *Vote November 1900*. Mo. p. 381
- 2263 Fees and mileage. Fee in forcible entry and detainer to be \$6 for each verdict; to be equally divided among jurors. Ga. p. 88, 7 D '98
- 2264 Juror's necessary traveling expenses in excess of mileage to be paid. Mass. 383, 23 My
- 2265 Coroner's certificate for juror's fees to be filed with county auditor and warrant issued. Minn. 299, 20 Ap
- 2266 Amending P. C. '95 §4646 relating to juror's fees. Mon. p. 94, 3 Mr
- 2267 County must, on order of court of record, furnish food, lodging and expenses of jury. Amending C. C. P. §81. N. Y. 67, 10 Mr
- 2268 Jurors must claim fees on or before December 31 of succeeding year [formerly within one year] or fees are forfeited to city or county. Amending '98 ch.124. N. Y. 150, 27 Mr
- 2269 Jurors to be paid every 30 days. Tenn. 7, 27 F
- Appeals. Review**
- 2270 New trial. Power of court to grant new trials and vacate judgments in actions for possession and damages amended ('95, 62). Col. 87, 22 Mr

- 2271 No judge to preside a second time at trial of same case after new trial has been granted. Ct. 128, 31 My
- 2272 Procedure in application for new trial in district courts slightly amended. Repealing R.S.'98 §3293, 3296. U. 59, 9 Mr
- 2273 Exceptions. When court adjourns within less than 30 days after making ruling complained of, exceptions pendente lite must be tendered within 60 days from date of ruling. Amending Code '95 §5541. Ga. p.59, 20 D '98
- 2274 Party excepting to ruling, order, decision or charge which has necessarily controlled judgment, decree or verdict need not move for new trial nor file brief of evidence; bill of exceptions may contain only enough to enable supreme court to understand ruling complained of. Ga. p.92, 20 D '98
- 2275 In appeal or error to supreme court, 30 days may be granted after adjournment to prepare bill of exceptions. Tenn. 275, 22 Ap
- 2276 Appeals—when allowed. Appeal or writ of error to supreme court not to be granted after *one* [formerly three] year; parties under disability may have *six months* [formerly one year] after removal thereof. Amending Digest '94 §1027. Ark. 60, 16 Mr
- 2277 Appeal may be taken from district court from judgment rendered as an appeal from order or action of board of county commissioners. Amending R.S.'87 §4807. '95 p.142 reenacted to correct *illegality in passage*. Id. p.273, 14 F
- 2278 Writs of error to issue in *one* [formerly three] year; exception. Amending R.S.'89 §2275. Mo. p. 112, 11 My
- 2279 Amending C.C.P.'95 §1722-23 relating to cases in which appeal may be taken to supreme court. Mon. p.146, 28 F
- 2280 Amending R.S.'74 p.262 relating to basis for issuing writ of error. N. J. 139, 24 Mr
- 2281 Questions of law on which two courts of civil appeal disagree to be certified to supreme court which shall render opinion. Tex. 98, 9 My
- 2282 Appeals to supreme court *not limited by amount in controversy* [formerly at least \$100]. Amending R.S.'98 §3047. Wis. 63, 27 Mr
- 2283 Procedure. Notice of appeal to be served on nonresident co-parties by three weeks publication; unless co-parties appear and decline to join in appeal, they shall be regarded as properly joined and be liable for costs. Amending R.S.'94 §647. Ind. 3, 20 Ja

- 2284** Appeals to supreme court *in all cases disposed of on pleadings and proofs* shall be on written claim transmitted in 40 days from settlement of case or from entry of decree; *no stay unless appeal bond filed.* Amending C. L. §550. Mich. 243, 15 Je
- 2285** Appeals from circuit court not perfected in six months may be dismissed. Amending R. S. '89 ch.48 art.10. Mo. p. 174, 31 My
- 2286** Minor amendment to C. C. P. §1323 relating to appeals. N. Y. 650, 25 My
- 2287** Taking and perfecting of appeals and the filing of transcripts amended (Ann. L. '87 §537, 541). Or. p. 227, 22 F
- 2288** Amending the filing and serving of notice of appeal; petition in error. Amending R. S. '98 §3305, 3316. U. 62, 9 Mr
- 2289** On failure of four judges of supreme court to concur, case to be reargued at next term and if four judges then fail to concur judgment of county court to be affirmed. Amending Vt.S. §996. Vt. 37, 29 N '98
- 2290** No appeal to supreme court shall be dismissed for defect in bond or defect of parties, if appellant shall perfect appeal. Amending '93 ch.61 §19. Wash. 49, 8 Mr
- 2291** Expense of transcript of evidence taxed as costs in proceedings in error, at legal rates; court may disallow costs for unnecessary matter. Amending R.S. §3145. Wy. 82, 21 F
- 2292** Appeals in lower courts. Repealing Digest '94 §4384 as to provision requiring stay bond in justice court to be filed in 10 days. Ark. 29, 2 Mr
- 2293** Appeal may be had from judgment of justice of the peace in civil actions *under general statute, municipal charter, by-law, ordinance or special law.* Amending '97 ch.196 §2. Ct. 184, 14 Je
- 2294** When defendant appeals to district courts, nonresident or convict plaintiff shall give bond; *suits for wages excepted.* Amending G.S. §5518. Minn. 186, 13 Ap
- 2295** Action against nonresident appealed from justice to district court not to be transferred to defendant's county unless application is made in 20 days after appeal allowed. Amending G.S. §5192. Minn. 341, 20 Ap
- 2296** Appeal from justices' and other inferior courts deemed perfected on filing appeal bond; not to be dismissed for failure to give notice in open court nor for defect in transcript. Tex. 134, 23 My
- 2297** Amending cases in which appeals from justices' courts may be dismissed (R.S.'98 §3750). U. 50, 9 Mr
- 2298** Appeals from justice's court; nonsuit and default. Amending Vt.S. §1300. Vt. 38, 31 O '98

**Judgments. Executions. Judicial sales.** (*See also* Exemption, 1580; Foreclosure, 2383)

- 2299 Obtaining judgments. Regulating procedure in suits on accounts where judgment is taken by default. *Ala.* p.225, 23 F
- 2300 Decision of court or referee means signing and filing findings and conclusions. Amending C.C.P. §1083. *Cal.* 20, 21 F
- 2301 Requiring judgment of respondent ouster to be entered on issues joined in demurrer in certain case. *Del.* 303, 16 Mr
- 2302 Repealing '98, 126 relating to judgment in overruled demurrers. *Del.* 305, 23 Mr
- 2303 Cause of action, with affidavit filed and served on defendant, to be denied by him within 20 [formerly 10] days or default judgment is to be given. Amending C.L.'97 §2885. *N. M.* 80, 16 Mr
- 2304 Referee's report, unless passed on by surrogate within 90 [formerly 60] days, is deemed to have been confirmed. Amending C.C.P. §2546. *N. Y.* 607, 16 My
- 2305 Granting of judgments by default amended as to actions for recovery of money only (C.C.P.'98 §267). *S. C.* 25, 1 Mr
- 2306 County courts may render judgments and chancellors' final decrees in vacation. Amending Vt.S. §915. *Vt.* 35, 15 N '98
- 2307 Verbal change in R.S.'98 §3627 as to offer of judgment in justice's court. *Wis.* 351, 4 My
- 2308 Vacation. Minor amendments to '98 ch.549 §1 relating to equitable process after judgment. *Mass.* 445, 29 My
- 2309 Amending C.S.'97 §6198 relating to power of district court to vacate its own judgments after term. *Neb.* 87, 7 Mr
- 2310 Amending C.S.'97 §6205 relating to limitation of time within which proceedings to vacate judgment of district court must be begun. *Neb.* 88, 28 Mr
- 2311 Lien of judgment. Judgments in United States district or circuit courts may be made liens on all real estate defendant may acquire by filing transcript of judgment in county recorder's office; fee. '90-91 p.119 reenacted to correct illegality in passage. *Id.* p.80, 2 F
- 2312 Judgments in personal actions will be presumed to be paid after 10 [formerly 20] years from granting, or from last payment thereon. Amending R.S.'89 §6796. *Mo.* p.221, '95. *Void* as to causes barred by new act at time of passage but which were not yet barred under the preexisting law; act does not provide reasonable time after its passage for the commencement of such actions, hence impairs obligation of contracts. *Cranor v. School district no.2*, 52 S.W. 233.



- 2313** After judgment has been docketed it becomes a lien on real property of debtor and continues *eight* [formerly five] years R.S.'98 §3198. U. 21, 7 Mr
- 2314** **Revival. Enforcement.** When judgment against railroad company remains unpaid one year, court shall order any employee to appear, state amount of company money on hand and probable future receipts and to pay into court till judgment and costs are satisfied. Ind. 89, 24 F
- 2315** Amending time when judgment in personal actions is presumed to be paid ('95 p.221). Mo. p.300, 25 Mr
- 2316** Within *six* [formerly five] years after judgment for \$25 or more, and after *return* [formerly issuing] of execution *wholly or partly unsatisfied*, on proof by affidavit, or other written evidence, or after issue of execution and proof that debtor has property which he refuses to apply to satisfy judgment, court may require debtor to give bond to appear [formerly and not to dispose of property; in default, debtor might be committed]. Amending '93 ch.133 §1. Wash. 93, 13 Mr
- 2317** **Executions. Judicial sales.** Execution may be levied on real estate on judgment of county court filed in circuit court. Fla. 64, 11 My
- 2318** When real estate is sold by sheriff his successor in office may execute deed if none has been executed. '95 p.20 reenacted to correct illegality in passage. Id. p.235, 14 F
- 2319** Notice of sales under execution amended (R.S.'87 §4482). '95 p.40 reenacted to correct illegality in passage. Id. p.243, 14 F
- 2320** Deeds made by sheriff under order of court to be sufficient evidence of legality of sale till contrary is proved. Amending G.S.'95 ch.97. Kan. 94, 4 Mr
- 2321** Real estate of corporations not created for public purposes may be sold on execution without first exhausting remedy against personal property. Mo. 115, 17 Mr
- 2322** Records of abstract firms liable to sale on execution. Mich. 197, 10 My
- 2323** Executions against property or person for collection of judgments or decrees of courts of record may issue at same time to sheriffs of different counties; when levies are made on more than one, sale shall be on only one at a time, under direction of plaintiff's attorney; only enough to be sold to satisfy judgment. Amending C.L. §10,305. Mich. 219, 1 Je; 267, 23 Je; 269, 23 Je
- 2324** Public sales of real estate may, in cities of 100,000, be held on floor of real estate exchange or at courthouse door. Amending R.S.'89 §164. Mo. p.37, 24 Mr

- 2325** Execution sales of real estate in cities of 100,000 may be on floor of real estate exchange. Amending R.S.'89 §4041. **Mo.** p.208, 27 Mr
- 2326** Issuing of writs of injunction and prohibition against sale of real estate amended (R.S.'89 §5510). **Mo.** p.226, 8 Mr
- 2327** Minor amendment to C.S.'97 §6373 relating to sales under decree in chancery. **Neb.** 90, 30 Mr
- 2328** Real estate attachable may be sold on execution subject to redemption. Amending P.S.'91 ch.233. **N. H.** 73, 11 Mr
- 2329** Making of deeds to real property sold under execution by sheriff amended Ann.L.'87 §1017. **Or.** p.71, 17 F
- 2330** Interpleaders on testatum fieri facias to be carried on in county where levy is made. **Pa.** 33, 11 Ap
- 2331** Injunction to stay execution or judicial sale not to be granted unless four days notice has been given to adverse party. Amending C.C.P.'93 pt 2 t.7 ch.111. **S. C.** 27, 6 Mr
- 2332** Successors of sheriffs, *probate judges, clerks of courts and masters* may complete sales begun by predecessors and execute titles. Amending R.S.'93 v.1 §745. **S. C.** 29, 2 Mr
- 2333** In land sales under order of court, bidding may be reopened without order when 10% advance is bid. **Tenn.** 37, 27 Mr
- 2334** Execution levied on real estate 10 days after issue by justice of peace not to affect title as to third parties till filed in county court. **Tenn.** 39, 30 Mr
- 2335** Writ of execution may issue at any time within *eight* [formerly five] years. Amending R.S.'98 §3233. **U.** 6, 2 Mr
- 2336** General act regulating sales of property under execution. Repealing '97, 50. **Wash.** 53, 8 Mr
- 2337** Special commissioners appointed by court to sell property must be residents of state. Amending Code '91 ch.132 §1. **W. Va.** 49, 24 F
- 2338** Judgment not to be rendered on county, town, city, village or school orders unless same are filed with clerk, to be made part of judgment roll. **Wis.** 14, 9 Mr
- 2339** Verbal change in R.S.'98 §2968 as to issue of executions. **Wis.** 351, 4 My
- 2340** **Redemption.** Judgment debtor or redemptioner may redeem real estate sold under execution or foreclosure within *one year* [formerly six months] from sale; other amendments to R.S.'87 §4492-93 relating to redemption of property sold under execution. '95 p.34 reenacted to correct illegality in passage. **Id.** p.241, 14 F
- 2341** Property sold under judgment subject to redemption may be redeemed on paying the price paid by purchaser with 7% [formerly 12%] interest. Amending Ann.S.'90 §6373. **S. D.** 106, 24 F

- 2342** **Miscellaneous.** Sale of judgment shall be by written transfer; may be filed with clerk of court, acknowledged as deeds are, and shall then be valid notice to all parties; in case of compromise attorney has action against both parties for contingent fee. **Ark.** 92, 4 Ap
- 2343** When amount tendered and refused is brought into court and a smaller amount is found to be due, only sum due shall be paid. **Ind.** 73, 24 F
- 2344** Satisfaction-piece is to be executed by party in whose favor judgment was rendered, or if it is made within two years after entry of judgment or after entry of final judgment or order of affirmance [formerly after filing of judgment-roll] by attorney of record of the party. Amending C.C.P. §1260. **N. Y.** 95, 17 Mr
- 2345** *Special* proceeding supplemental to execution may be instituted and prosecuted before superior court of county in which judgment was entered or of any county to whose sheriff execution has been issued or where transcript has been filed. Amending '93 ch.133 §24. **Wash.** 93, 13 Mr
- 2346** Verbal change in R.S.'98 §2906 relating to assignment of judgments. **Wis.** 351, 4 My

**Miscellaneous**

- 2347** Copies of lost papers may be filed instead of originals; when order of court has been filed and record lost, court shall refile and all proceedings shall be deemed taken as provided by law. **N. D.** 107, 7 Mr
- 2348** Fixing mileage to be allowed persons performing legal duties. Amending Ann.L.'87 §2353-54. **Or.** p.247, 24 F
- 2349** Imprisonment for contempt may be in house of correction or county jail. **Vt.** 42, 15 N '98
- 2350** **Costs.** Filing and service of bill of costs amended (R.S.'87 §4912). '95 p.6 reenacted to correct illegality in passage. **Id.** p.231, 14 F
- 2351** In suits for wages court to allow plaintiff a reasonable attorney's fee to be taxed as costs. **Id.** p.394, 16 F
- 2352** Poor persons may commence suit in circuit court without payment of costs. Amending R.S.'97 ch.53 §14. **Ill.** p.217, 24 Ap
- 2353** Upon affirmance or dismissal of an appeal from judgment for money against insurance or railroad company or foreign corporation, 10% damages on amount of judgment appealed from shall be awarded against appellant, though such judgment be not superseded. Amending Code §764. **Ky.** 1157, '88. *Unconstitutional.* Unreasonable and unjust discrimination against the companies named in the act. Mutual fire insurance co. v. Hammond, 51 S. W. 151.

- 2354 Revenue stamps on deeds on execution or tax sale taxable as costs. Me. 97, 16 Mr
- 2355 Amending C.C.P. §3245 relating to allowance of costs to plaintiffs in actions against municipal corporations. N. Y. 609, 16 My
- 2356 Same costs to be allowed in cases appealed from justice's court as in cases commenced in district court. Amending R.C.'95 §5574. N. D. 3, 24 F
- 2357 State, as party to suit, relieved from payment of costs in advance and from furnishing bond. Or. p.96, 17
- 2358 Fixing fees of clerks of circuit and county courts and sheriffs; regulating payment of these and trial fees. Amending '95, p.77. Or. p.140, 18 F; p.151, 18 F
- 2359 Legal notices. Cost of publication of legal notices amended (Code '96 §3045). Ala. p.40, 23 F
- 2360 *If no paper published in county* or if amount in question is under \$350 [formerly \$100] notices may be posted. Amending Digest '94 §4684-85. Ark. 189, 8 My
- 2361 When daily publication of notices etc. is required by law, publication on week days is sufficient. Or. p.233, 22 F
- 2362 Charges for legal advertising regulated. S. C. 31, 8 Mr
- 2363 Notices required by county courts to be printed *in English, but may be published in newspapers printed in another language when court directs*. Amending R.S.'98 §4045. Wis. 175, 13 Ap
- 2364 No compensation for printing legal notices in daily papers in counties or cities under 40,000 unless paper continuously published two years preceding, with 300 bona fide subscribers. Wis. 319, 2 My

### Civil procedure—special actions

#### Actions affecting property

- 2365 Superior court may on petition order sale of building and land when title to them are in different persons. Ct. 180, 14 Je
- 2366 Actions affecting title to lands, where there is dispute as to which county they are in, may be brought in either county; lis pendens may be recorded in each. Minn. 119, 3 Ap
- 2367 Relating to submission to jury of question of fraudulent release to cause involving title to real estate. Amending R.S.'89 ch.33 art.5. Mo. p.108, 24 My
- 2368 Amending proceedings before justice of the peace involving title to real estate (R.S.'89 §6219). Mo. p.271, 9 My
- 2369 Quieting title. Claimant to lands may have title confirmed in chancery court; six weeks publication; no bar to adverse possessor, party paying taxes in preceding seven years, or claimant under contract with petitioner, unless named as defendant. Ark. 79, 28 Mr

- 2370 Bills in equity may be brought to quiet title against adverse claimant not in possession; no bar to relief that title has not been litigated or that adverse claim is void on face or requires extrinsic evidence. Fla. 78, 1 Je
- 2371 On petition to remove cloud, court *or any justice thereof in vacation* shall order notice to claimants. Amending R.S. ch.104 §48. Me. 95, 16 Mr
- 2372 Suit to quiet title may be maintained against unknown parties whose claim can not be met without production of evidence *or depends on construction of written instrument*. Amending '97 ch.522 §1. Mass. 444, 29 My
- 2373 In action to determine adverse claims to real estate, unknown parties may be joined as defendants; service by publication; court may allow unknown heirs to defend within one year from judgment, or, if minors, within two years. N. D. 157, 6 Mr
- 2374 Person claiming interest in real estate not in actual possession of another [formerly person in possession] may enter suit to determine claims. Amending Ann.L.'87 §504. Or. p.227, 22 F
- 2375 Adverse possession. Ejectment. Person entitled to premises may recover by summary process *when court of registration has decreed confirmation of title*. Amending P.S. ch.175 §1. Mass. 120, 2 Mr
- 2376 Officer removing personal property not plaintiff's in serving execution for recovery of lands may store goods; lien for storage. Mass. 412, 25 My
- 2377 Person taking possession of premises under lease estopped from disputing title; does not apply to lessee in possession prior to lease under claim of adverse or hostile title. Minn. 13, 10 F
- 2378 Limitation of 10 years within which action to recover real property must be begun; *but limitation does not apply to cities, towns etc. in recovery of streets or other public grounds*. Amending O.S. '97 §5596. Neb. 79, 1 Ap
- 2379 Landlord and tenant. No writ of possession in action between landlord and tenant to be issued till after three days from rendering of judgment. N. J. 35, 15 Mr
- 2380 Distress for rent subject to prior liens on property. S. C. 50, 27 F
- 2381 Removal from rented premises before contract expires gives landlord right to issue distress warrant. S. C. 51, 15 F
- 2382 Imprisonment for debt; defendant not to be confined in "close jail" when judgment includes rent for use of leased premises prior to notice to quit. Vt. 44, 29 N '98

- 2383 Foreclosure. Redemption.** Mortgagor may redeem land sold under foreclosure in one year; may waive right in mortgage. **Ark. 153, 8 My**
- 2384** Appeal may be taken from interlocutory judgment in action to redeem realty or personalty from mortgage or lien, determining right to redeem and ordering accounting. Amending C.C.P. §939, 963. **Cal. 9, 14 F**
- 2385** Holder of chattel mortgage allowed 30 days after maturity of debt to take possession of chattels. **Col. 86, 10 Ap**
- 2386** Mortgagee may charge \$5 attorney's fee in addition to expenses for closing, to be a lien on estate. **Me. 77, 15 Mr**
- 2387** Court not to order lands to be sold within *six* [formerly 12] months after filing bill for foreclosure; *mortgagor may redeem whole or part in six months after sale; all deeds on mortgage sales to be deposited with register, to become operative on failure to redeem in time limited.* Amending C.L. §516, 523. **Mich. 200, 10 My**
- 2388** Householder whose lands are to be sold on foreclosure not valid against homestead *and so stated in decree* shall notify officer of his selection; *if he neglects, officer shall ask him to select and on his failure shall select for him.* Amending C.L. §10,364-65. **Mich. 218, 1 Je**
- 2389** Sheriff's certificate of foreclosure sale legalized though recorded later than 20 days after sale. **Minn. 14, 17 F**
- 2390** Redemption: *if mortgage specifies less than 7% interest, rate after sale shall be the same.* Amending G.S. §6041. **Minn. 37, 6 Mr**
- 2391** To remedy lack of repealing clause in act relating to sale of personal property under mortgage. **Neb. 9, 30 Mr**
- 2392** Regulating sales under powers of sales contained in mortgages of real estate. **N. H. 19, 1 Mr**
- 2393** What constitutes sufficient notice of sale of personal property under process or chattel mortgage to recover not exceeding \$300. **N. M. 20, 24 F**
- 2394** Amending notice to be served by lienor before sale of personal property to satisfy lien ('97 ch.418 §81-82). **N. Y. 369, 19 Ap**
- 2395** State may be made a party defendant to action for foreclosure when state has lien subsequent to lien sought to be foreclosed. Amending C.C.P. §1627. **N. Y. 528, 5 My**
- 2396** Property sold under mortgage foreclosure may be redeemed within one year; *or, within two years, if mortgagor at end of first year pays taxes, interest due and interest for a year in advance.* Amending C.L.'87 §5421-47. **S. D. 140, '93. Void.** as to mortgages executed before its adoption, impairs obligation of contracts. *Hollister v. Donahoe*, 78 N. W. 959.

- 2397 Partition.** Ward's consent to partition can only be given on order of court after hearing in open court, after 10 days notice to all known relatives. Amending C.C.P. §1772. **Cal.** 252, 27 Mr
- 2398 Sales of real estate in partition to be held, in cities of 100,000, on floor of real estate exchange or at courthouse door.** Amending R.S.'89 §7189. **Mo.** p.313, 27 Mr
- 2399 Repealing '93 p.216 relating to distribution of proceeds of sales of real estate in partition.** **Mo.** p.313, 15 My
- 2400 Amending C.S.'97 §6323, 6360 relating to partition of real property and manner of serving notice on defendants in such actions.** **Neb.** 89, 28 Mr
- 2401 In actions for partition of real property court may allow to a party an additional allowance of not more than 5% [formerly 2½%] on sum claimed or recovered.** Amending C.C.P. §3253. **N. Y.** 299, 12 Ap
- 2402 Clerk of court not to appoint himself or his deputy to make sale in partition proceedings.** Amending Code §1906. **N. C.** 161, 26 Ja
- 2403 Powers of court of common pleas amended as to actions for partition and foreclosure (R.S.'93 v.1 §2247).** **S. C.** 13, 6 Mr
- 2404 Homestead and dower to be set off first; reversion thereto to be included in partition; if partition impossible without injustice, premises may be sold if parties entitled to homestead, dower or curtesy consent in writing, otherwise dower to be admeasured, remainder sold and proceeds divided.** Amending R.S.'98 §3113. **Wis.** 336, 3 My
- 2405 Person having estate of dower, *admeasured* or not, *estate by curtesy or homestead for life* may be made party to partition.** Amending R.S.'98 §3102. **Wis.** 336, 3 My
- 2406 Condemnation proceedings.** (*See also* Eminent domain, 1594) Manner of execution of judgments of appraisers in proceedings in eminent domain. **Ct.** 3, 15 Mr
- 2407 Concerning procedure in eminent domain; trustees to be appointed when parties in interest are minors.** **Ct.** 11, 17 Mr
- 2408 Telegraph company undertaking to condemn right of way of railroad company must give notice to latter.** Amending Code '95 §4685. **Ga.** p.54, 20 D '98
- 2409 Courts to award reasonable pay to commissioners appointed to hear parties and assess damages.** **Mass.** 458, 2 Je
- 2410 Proceedings by person or corporation when owner of land refuses right of way amended (R.S.'93 v.1 §1744).** **S. C.** 53, 6 Mr

2411 **Replevin.** Defendant in replevin shall have property on giving bond to surrender if plaintiff recovers; property not to be delivered to plaintiff without defendant's consent till 48 hours after appraisal and notice; either party may submit to circuit court question as to special value that can not be satisfied by money; *either* party [formerly defendant] may except to sureties in 10 [formerly 20] days; *either* party [formerly defendant] entitled to return may take judgment for money value *against principal and sureties*. Amending C.L. ch.294.

Mich. 246, 15 Je

2412 When action in replevin is dismissed by court for defects in proceedings by plaintiff, judgment may be given for defendant. Amending C.C.P. Neb. p.44 '75. *Unconstitutional*. Does not provide for repeal of sections amended, as required by constitution then in force. *Reid, Murdock & Co. v. Panska*, 78 N. W. 534.

2413 Amending C.S.'97 §6563 relating to replevin cases before justice of the peace that go to district court. Neb. 92, 1 Ap

2414 Amending replevin of goods exceeding \$20 in value (Vt.S. §1470). Vt. 41, 25 O '98

2415 **Personalty.** Failure to have license no defense to suit for purchase price of goods. Ind. 159, 3 Mr

#### Personal injury and tort

2416 Husband has action for wrongful killing of wife, if suit be brought in two years. Ark. 84, 29 Mr

2417 In cities of 15,000 notice of injury by defective sidewalk etc. must be given within *six months* [formerly 20 days] after same is received. Amending '91 p.374 §14. Col. 145, 24 F

2418 In suit for personal damages trial court may order injured party to submit to examination by physician appointed by court.

Fla. 58, 11 My

2419 Parent has cause of action for wrongful death of minor child; one year. Fla. 61, 3 Je

2420 In actions for personal injuries or death through negligence, not necessary to allege want of contributory negligence; contributory negligence matter of defense and may be proved under general denial. Ind. 41, 17 F

2421 Actions against cities of 100,000 for damages for injuries to person or property to be begun within six months. Ky. Statutes, §2752, '94. *Unconstitutional*. Legislature not to pass local or special acts to regulate the limitation of civil and criminal causes. *City of Louisville v. Kuntz*, 47 S. W. 592.

2422 No action for personal injuries after three years.

Mich. 155, 23 Je



- 2423** Persons suffering mob violence or their heirs have right of action against county, \$500 to \$5000. Mich. 252, 21 Je
- 2424** Fence over six feet high built to annoy is private nuisance; action for tort and abatement. Minn. 336, 20 Ap
- 2425** Notice of personal injuries not required when action is brought within year. Amending R.S.'98 §4222. Wis. 307, 29 Ap
- 2426** Libel. Slander. In order to mitigate damages for slander or libel in newspaper, apology must be published in next regular issue or, in case of dailies, within five days. Amending Code '96 §1441. Ala. p.32, 20 F
- 2427** Unlawful to publish without written consent portrait of living residents except public officers and convicted criminals; caricatures forbidden. Cal. 29, 23 F
- 2428** Published articles impeaching reputation or exposing natural defects must be signed by true name; \$1000 forfeit. Cal. 124, 20 Mr
- 2429** Writer's name to be signed to article charging immorality. Fla. 72
- 2430** Before suit for libel notice shall be served on newspaper; if retraction is printed as conspicuously as original article, only actual damages can be recovered; retraction in case of political candidate must be made editorially, three days before election; no damages for publishing fair, true report of public occurrence, official proceedings or contents of any pleadings, unless actual malice is proved. Wash. 59, 13 Mr

**Attachment.** (See also Executions, 2299; Exemptions, 1580)

- 2431** Issue. Effect. In cases involving \$5 in justice's court or on appeal plaintiff may have writ of attachment to prevent fraudulent disposal of property; bond required. Minn. 80, 21 Mr
- 2432** Regulating issue of writs of attachment prior to maturity of debt. Amending C.C.P.'95 §891. Mon. p.141, 3 Mr
- 2433** Writ of attachment may be issued against *executor, administrator, heir or devisee* of any deceased debtor; other amendments to R.S.'74 p.16 §8. N. J. 42, 17 Mr
- 2434** Repealing R.S.'74 p.16 §68 relating to writs of attachment against absconding or absent debtors. N. J. 136, 24 Mr
- 2435** Service of writs of attachment amended (C.L.'97 §2698). N. M. 80, 16 Mr
- 2436** Grounds on which a warrant of attachment will be issued slightly amended (C.C.P. §636). N. Y. 598, 16 My
- 2437** Amending filing of affidavits on which attachments are granted (C.C.P.'93 §250). S. C. 14, 3 Mr
- 2438** Attachment or garnishment to be only for salary or wages *earned* [formerly due]. Amending '95, 192. Tenn. 1, 24 Mr

- 2439 **Procedure.** Providing for trial of actions commenced by foreign attachment when defendant does not appear. Ct. 45, 6 Ap
- 2440 Selling of live stock and perishable property under attachment amended (G.L.'88 §923). Ct. 67, 19 Ap
- 2441 Attached property not to be concealed or destroyed. Ct. 86, 4 My
- 2442 When debt is not over \$20 attachment notice may be posted one month in three places instead of published. Amending R.S. §1658. Fla. 70, 31 My
- 2443 Providing for posting and publishing of notices in attachments and regulating prorating among creditors. Amending R.S.'87 §4304. '95 p. 75 reenacted to correct illegality in passage. Id. p.250, 14 F
- 2444 Attached personal property may remain on premises and keeper be appointed unless occupant or owner objects; defendant to have reasonable time before removal to give bond dissolving attachment. Amending R.S. ch.81. Me. 107, 17 Mr
- 2445 Amending C.C.P.'95 §803, 895, 1562 relating to levy of writs of attachment. Mon. p.139, 7 Mr; p.140, 7 Mr
- 2446 Execution of writ amended. Ann.L.'87 §149, 151. Or. p.231, 22 F
- 2447 Extending the right to commence action by writ of foreign attachment to all injuries caused to persons or property on land by vessels. Pa. 84, 28 Ap
- 2448 **Garnishment.** Amending procedure in actions for collection of debt when garnishee claims exemption of wages (Code'96 §2038). Ala. p.37, 23 F
- 2449 All corporations of whatever nature, foreign or domestic, *municipal or otherwise except counties* may be garnished; *may appear or answer in writing; plaintiff must serve notice of judgment; defendant may release on bond; justice of peace may proceed against municipalities.* Amending C.L. §1014. Mich. 257, 23 Je
- 2450 Not to issue, in actions of less than \$200 and where property sought is wages due from railroad, till judgment has been recovered. Mo. p.221, 18 My
- 2451 Answer of garnishee amended (C.L.'97 §2708). N. M. 80, 16 Mr
- Special civil proceedings**
- 2452 In writ of prohibition, certiorari and mandamus the supreme court shall consist of judges who did not sit on case below; presiding judge. Del. 296, 24 F
- 2453 Amending form of county court writs. Vt. 137, 26 O '98
- 2454 **Injunction. Mandamus.** Petitions for writ of prohibition or mandamus to be filed at any time; calling of special session of supreme court; powers. Del. 297, 24 F

- 2455 In cases of writs of prohibition or of mandamus, costs are to be taxed as court deems equitable. Del. 306, 23 F
- 2456 Who may grant temporary injunctions. Amending Ann.S.'97 §1147. Ind. 233, 6 Mr
- 2457 Amending C.L.'97 §2773 relating to review of judgment in mandamus proceedings. N. M. 80, 16 Mr
- 2458 *Temporary* injunction can not be granted in an agreement for submission of controversy to court. Amending C.C.P. §1281. N. Y. 520, 5 My
- 2459 Where *an application* for a peremptory writ of mandamus is granted or *denied* without previous alternative mandamus, costs may be awarded. Amending C.C.P. §2086. N. Y. 527, 5 My
- 2460 Power of court of common pleas at seat of government amended as to issuing writs of mandamus ('93 ch.285 §1). Pa. 71, 28 Ap
- 2461 Governing boards of cities, villages and towns may prefer a bill in equity for injunctive relief for abatement of public nuisances; court of chancery given jurisdiction. Vt. 154, 16 N '98
- 2462 Certiorari. Circuit court may issue certiorari to *city or town council* to correct erroneous or void ordinance or proceeding. Amending Digest '94 §1125. Ark. 62, 18 Mr
- 2463 Quo warranto. Attorney general may file quo warranto in supreme court against any state, county, town or city officer. Mass. 376, 19 My
- 2464 In quo warranto proceedings defendant in possession of office shall continue till action is tried. N. C. 33, 31 Ja
- 2465 Amending '95 ch.105 relating to trial of title to office. N. C. 49, 8 F
- 2466 Relating to service of summons in quo warranto proceedings. Amending Code, §616. N. C. 126, 17 F

### Criminal procedure

(See also numerous provisions of Civil procedure)

- 2467 To remedy lack of repealing clause in certain acts amending the criminal code. Neb. 93, 30 Mr; 94, 30 Mr; 95, 30 Mr; 96, 30 Mr; 97, 28 Mr; 98, 30 Mr; 100, 28 Mr; 101, 30 Mr; 102, 30 Mr; 105, 30 Mr; 106, 31 Mr; 109, 28 Mr

### Apprehension. Prosecution. Indictment

- 2468 Crimes begun in this state and completed elsewhere deemed committed here. Del. 307, 26 Ja

- 2469 If a person be stricken or poisoned in one county and die in another, an indictment may be found in *either county* [formerly in county where person was stricken or poisoned]. Amending '98 ch.237 §59. N. J. 88, 22 Mr
- 2470 **Apprehension. Arrest.** Police justice, recorder, *judge of any city, borough, town or police court* or justice of the peace may issue warrants for arrest of fugitives from justice. Amending '97 ch.245 §2. Ct. 145, 31 My
- 2471 Governor may offer rewards of not over \$500 each for apprehension of persons charged with felony where punishment is not death. Amending R.S.'87 §180. '90-91 p.198 reenacted to correct *illegality in passage*. Id. p. 135, 7 F
- 2472 County commissioners authorized to pay \$500 reward for arrest and conviction of murderer or lyncher. Ind. 100, 24 F
- 2473 Fugitive from justice defined. Ind. 234, 6 Mr
- 2474 Search warrant may be issued for property bearing trademark or owner's name. Amending Pen.C. §1524. Cal. 72, 9 Mr
- 2475 Night search warrant may be issued by *one* [formerly two] trial justice. Amending P.S.ch.212 §4. Mass. 166, 18 Mr
- 2476 Officer who wilfully delays service of warrant of arrest or search warrant to be fined not over \$50. Mass. 389, 23 My
- 2477 Repealing C.L.'97 §2730-37 relating to capias. N. M. 80, 16 Mr
- 2478 Form of commitment issued by magistrate for examination amended (Crim.P. §193). N. Y. 608, 16 My
- 2479 County commissioners may offer \$10 to \$50 reward for conviction of persons destroying unoccupied buildings or stealing grain. N. D. 61, 9 Mr
- 2480 Warrants by aldermen and justices of the peace out of jurisdiction, to be stamped with official seal. Amending '60 ch.375 §3. Pa. 114, 2 My
- 2481 **Detectives.** Controller of state may spend \$3000 annually in enforcement of laws regulating private detectives and detective agencies. Amending '98 ch.422 §5. N. Y. 318, 17 Ap
- 2482 Unlawful to organize or employ in any city armed bodies of men others than those provided by law. Or. p.96, 17 F
- 2483 **Bail.** Forfeiture on bail bonds in change of venue to be paid to county where indictment was found. Ark. 177, 8 My
- 2484 Municipal courts having criminal jurisdiction may accept cash bail, not over double highest fine; deposit exempt from garnishment, attachment and execution. Minn. 301, 20 Ap
- 2485 Regulating the giving of bail in appeals in criminal cases. Amending C.L.'97 §3420; repealing §3409. N. M. 32, 9 Mr

- 2486** Recognizances and bail bonds to state *whether offense charged is felony or misdemeanor* [formerly name of offense]. Amending Crim.P.'95 §308-9. Tex. 74, 17 Ap
- 2487** Habeas corpus. Service of writ of habeas corpus amended (G.L. ch.231 §13). R. I. 681, 25 My
- 2488** Prosecution on information. Offences may be prosecuted on information; grand jury not to be called except by order of district judge. '90-91 p.184 reenacted to correct illegality in passage. Id. p.125, 6 F
- 2489** Submitting constitutional amendment: criminal prosecution for felony and *misdemeanor* to be by indictment or information. Vote November 1900. Mo. p.382
- 2490** Criminal prosecutions may be begun on information by district attorney; he may administer oaths and compel witnesses to testify; perjury and contempt amended. Or. p.99, 17 F
- 2491** Criminal cases in district courts to be prosecuted by information or indictment; exceptions. U. R.S. §4688, '98. Void as to offenses committed before admission of state into Union because it alters the situation of offender to his disadvantage and is therefore ex post facto. State v. Rock, 57 P. 532.
- 2492** State's attorney may prosecute by information all crimes except those punishable by death or 20 [formerly seven] years imprisonment. Amending Vt.S. §1867. Vt. 46, 22 N '98
- 2493** Grand Jury. Not to subpoena witness for defense of indicted person after finding of indictment. Amending R.S.'89 §4078. Mo. p.172, 22 Ap
- 2494** Submitting constitutional amendment: no grand jury to be convened except by order of judge, but when assembled shall have power to indict for all grades of crime. Vote November 1900. Mo. p.383
- 2495** Amending Ann.S.'99 §8447 relating to abolition of grand jury except in certain cases. S. D. 74, 24 F
- 2496** Grand jury may reconvene in same term if felony is committed. Tenn. 324, 21 Ap
- 2497** Changing time of day at which grand jurors in county courts shall be summoned to appear. Vt. 40, 15 N '98
- 2498** Clerk may be appointed to take testimony before grand jury for use of state's attorney. Vt. 45, 22 N '98
- 2499** Circuit court may dispense with grand jury for all three terms required by law to be held annually. Amending Code '91 ch.157 §1. W. Va. 19, 21 F
- 2500** Indictment. Indorsing of certain indictments by prosecutor amended (R.S.'89 §4095). Mo. p.173, 13 Ap

- 2501 Indictments for felony or *misdemeanor* not to be made public till person indicted is arrested. Amending R.S.'89 §4099.

Mo. p. 173, 29 My

- 2502 But one offense to be charged in indictment; but indictment for housebreaking may contain count for larceny. Amending R.S.'98 §4734. U. 31, 9 Mr

## Criminal trials

- 2503 **General.** General act providing for simplification of criminal pleadings. 16p. Mass. 409, 25 My

- 2504 Fixing jurisdiction in criminal cases pending in counties out of which other counties have been formed; person awaiting trial in jail for two terms of court may be bailed. Amending C.L.'97 §3403. N. M. 25, 16 Mr

- 2505 County to furnish counsel for indigent poor in criminal cases in district courts. Id. p. 26, 2 F

- 2506 **Change of venue or judge.** Change of venue in criminal case on affidavit of *two* [formerly one] credible electors *actual residents not related to defendant*. Amending Digest '94 §2165.

Ark. 93, 4 Ap

- 2507 On change of venue in criminal case, judge of court granting change has sole power to appoint counsel to prosecute or defend. Ind. 20, 7 F

- 2508 No judge to try any penal case, if related to defendant within the sixth degree of consanguinity or if he has acted as counsel in the case either for state or defendant. Ind. 202, 4 Mr

- 2509 **Evidence. Witnesses.** Witness' fees and mileage in criminal cases amended (Code'96 §4583). Ala. p. 59, 23 F

- 2510 Mileage and fees of witnesses in criminal proceedings amended (R.S.'87 §8151). '93 p.20 reenacted to correct illegality in passage.

Id. p.172, 9 F

Amended.

Id. p.367, 6 Mr

- 2511 State, county, township and municipal officers and their employees not to receive witness fees for testifying before coroners, grand juries and in criminal cases; exception.

Mo. p.221, 12 Ap

- 2512 State officers in their official capacities attending as witnesses in criminal cases not entitled to compensation. Amending Crim. P. §616. N. Y. 98, 17 Mr

- 2513 Attachment to be issued for grand jury witness about to move out of county. Amending Crim.P.'95 art.525. Tex. 144, 25 My

- 2514 Witnesses in criminal proceedings in justices' courts may be conditionally examined. Amending R.S.'98 §5164.

U. 57, 9 Mr

- 2515 **Jury. Verdict.** Special venire may be waived in capital felonies where defendant pleads guilty. Ala. p.244, 8 F

- 2516** Five sixths of jury in misdemeanor cases may render verdict. Amending R.S.'87 §7781, 7930. '90-91 p.165 reenacted to correct *illegality in passage*. Id. p.110, 6 F
- 2517** Criminal cases in which punishment is necessarily at hard labor are to be tried by jury of 12, nine of whom may render verdict; cases in which punishment is not necessarily at hard labor may be tried by judge without jury. La. Const. §116, '98. *Partly void*. Ex post facto legislation in so far as it applies to offenses committed prior to adoption of constitution. State v. Ardoin, 24 So.802; State v. Baker, 24 So.240.
- 2518** Person charged with offense triable before court of quarter sessions may waive trial by jury and be tried before court of special sessions. Amending '98, 237. N. J. 89, 22 Mr
- 2519** In petit larceny cases state has two and defendant six peremptory challenges. Tenn. 36, 27 Mr
- 2520** Opinion based on newspaper reports not to disqualify juror in criminal case if he swears he can render impartial verdict. Tenn. 383, 22 Ap
- 2521** When petit jury in criminal case is kept together necessary expenses of jury and officer in charge paid by state. Vt. 135, 30 N '98
- 2522** Appeals. Defendant in criminal case, except capital crimes, on appeal to supreme court may give bond; supreme court may grant appeal on refusal of trial court. Ark. 23, 28 F; 158, 8 My
- 2523** Manner of discharging prisoner from custody when judgment is reversed and new trial not ordered, amended (R.S.'87 §8074). '97 p. 73 reenacted to correct *illegality in passage*. Id. p.305, 21 F
- 2524** Effect of appeals in criminal cases amended (C.L.'97 §3420). N. M. 80, 16 Mr
- 2525** Manner and time of bringing appeals from courts of special sessions, police courts etc. in criminal actions, amended (Crim.P. §759). N. Y. 601, 16 My
- 2526** When appeal is taken from mayor's court, in cases where the offence charged is the violation of an ordinance, mayor shall send certified copy of ordinance. N. C. 277, 27 F
- 2527** Miscellaneous procedure. In criminal cases writ of certiorari not granted unless bond is filed, *which filing shall operate as supersedeas for 10 days*. Amending Code '95 v.3 §765. Ga. p.61, 7 D '98
- 2528** Injured party may stay proceedings against person held on complaint and warrant when there is civil remedy. Amending R.S. ch.133 §18. Me. 9, 10 F

- 2529 Defendant may file affidavit of prejudice against *court commissioner* before whom he is brought for examination. Amending G.S. §7169. **Minn.** 159, 11 Ap
- 2530 Rule of pleading and evidence in criminal prosecutions for attempts to defraud fire insurance companies. **Or.** p.37, 17 O '98
- 2531 When grand jury is in session, justice of peace not to try criminal cases except on plea of guilt. **Tenn.** 16, 24 Mr
- 2532 Defendants for felony punishable by death or imprisonment for five years may demand separate trials, except in case of conspiracy. **Vt.** 47, 10 N '98
- 2533 Defendant whose plea is insanity may be committed to custody of superintendent of state hospital to determine sanity. **Vt.** 48, 30 N '98
- 2534 **Sentence. Execution.** (*See also* Penal institutions—sentence, parole. 3652) In criminal cases sentence imposed by justice of peace in excess of lawful penalty shall be valid to extent of lawful penalty. Amending C.L. §1019. **Mich.** 189, 2 My
- 2535 Disqualification of persons convicted of felony to serve on juries, vote or hold office amended (R.S.'89 §3624). **Mo.** p.165, 22 Ap
- 2536 Justice's certificate of criminal conviction to be filed in circuit court or other court having exclusive appellate criminal jurisdiction. Amending R.S.'98 §4765. **Wis.** 67, 29 Mr
- 2537 Witnesses of execution of sentence of death amended ('93 ch.137 §3). **Ct.** 26, 23 Mr
- 2538 Regulating time, place and manner of infliction of death penalty. Amending R.S.'87 §8009, 8019, 8021-22. **Id.** p.340, 18 F
- 2539 Death sentences to be executed in *penitentiary* [formerly county jail]; warden's certificate to be entered on records of court; body to be returned to friends if requested; expense of transportation to be borne by state. Amending Code '91 ch.160. **W. Va.** 2, 18 F
- 2540 **Fines. Costs.** Judge of city, town or borough court may remit fines or costs. **Ct.** 29, 30 Mr
- 2541 When sentence may be fine or imprisonment, court may impose fine and conditional sentence of imprisonment to take effect if fine be not paid. **Ct.** 84, 27 Ap
- 2542 Costs in criminal cases, how paid. **Ct.** 156, 2 Je
- 2543 Prisoners for fine and costs may be discharged when their labor at \$1 [formerly 50c] a day amounts to fine and costs. Amending G.L.'88 §3373. **Ct.** 203, 20 Je
- 2544 Providing for enforcement of judgments in criminal actions where fines and costs are imposed. Amending R.S.'87 §6978, 7994-95, 8006, 8300, 8310-11. **Id.** p.379, 13 F



- 2545** Convict to be discharged after serving *eight days* for \$5 fine, 20 [formerly 30] days for \$10, 30 [formerly 40] days for \$20. Amending P.S.ch.222 §15. **Mass.** 226, 1 Ap
- 2546** Jail prisoners may be sentenced to labor on public works for non-payment of fines *and costs*. Amending R.S.'89 §3964. **Mo.** p.171, 18 My
- 2547** Clerks to furnish county treasurer with copy of criminal cost fee-bills and treasurer to pay same; conditions. **Mo.** p.219, 11 My
- 2548** Prosecutor not entitled to any part of penalty imposed for violation of statute, except city or town prosecuting for violation of liquor law. Amending P.S.'91 ch.112 §23. **N. H.** 31, 7 Mr
- 2549** Compensation of special justice may be taxed as costs in criminal proceedings. Amending P.S.'91 ch.211 §14. **N. H.** 51, 8 Mr
- 2550** In villages a disorderly person who, on conviction, is unable to pay fine, may be sentenced to county jail for not exceeding *one day for each dollar imposed* [formerly 20 days]. Amending '97 ch.414 §319. **N. Y.** 217, 1 Ap
- 2551** Amending Code §3806 relating to collection of fines in incorporated towns. **N. C.** 128, 21 F
- 2552** In larceny and assault with intent to murder state or county to pay no costs except clerk's and sheriff's. Amending '97,20. **Tenn.** 307, 22 Ap
- 2553** **Prisoners. Custody. Transportation.** (*See also* Penal institutions—convicts, 3645) Transportation of convicts from place of conviction to state prison amended (R.S.'87 §8504,8008). '97 p. 26 *re-enacted to correct illegality in passage.* **Id.** p.300 13 F  
Amended, **Id.** p.340, 18 F
- 2554** Payment of expenses for person convicted in one county and by direction of the court imprisoned in another. **N. J.** 155, 24 Mr

### Crimes and punishments

(*See also* Order and decency, 104; also various special offenses under subject)

- 2555** Repealing certain acts relating to crimes. **N. J.** 86, 22 Mr
- 2556** **Lynching.** Law to prevent lynching; attorney general may prosecute; taking of prisoner from officer prima facie evidence of failure on part of officer to perform duty and shall be the duty of prosecuting attorney or attorney general to institute impeachment proceedings. **Ind.** 218, 6 Mr
- 2557** **Homicide.** Fixing punishment for assault with intent to kill or to do great bodily harm. Amending R.S.'89 §3490. **Mo.** p.161. 22 Ap

- 2558 Maximum punishment for murder in the second degree to be imprisonment for *life* [formerly 30 years]. Amending P.S.'91 ch.278 §5. N. H. 24, 1 Mr
- 2559 Rape. Penalty for carnal abuse of female under 16, *one* [formerly five] to 21 years imprisonment. Amending Digest '94 §1865. Ark. 12, 13 F
- 2560 Penalty for indecent assault upon female under 12 years not more than five years imprisonment. Ct. 61, 19 Ap
- 2561 Age of consent 17 [formerly 18] years. Amending '95, 39. Ari. 23, 11 Mr
- 2562 Age of consent 18 [formerly 14] years. '95 p.19 reenacted to correct *illegality in passage*. (Amending '93 p.10). Id. p.167, 7 F
- 2563 Age of consent 16 [formerly 14] years. Amending G.S. §6523. Minn. 72, 20 Mr
- 2564 Age of consent 16 [formerly 14] years. Vt. 118 19 N '98
- 2565 Other sexual crimes. (See also Public morals—order and decency, 104) Prosecution for seduction to be suspended on marriage; revived on desertion or suit for divorce; wife may testify. Ark. 22, 28 F
- 2566 Penalty for seduction of girls under 18. Ill. p.148, 19 Ap
- 2567 Amending definition of bigamy; record evidence of marriage not necessary. Ind. 239, 6 Mr
- 2568 Minor amendment to C.S.'97 §6871 relating to adultery. Neb. 106, 31 Mr
- 2569 Fixing punishment for unnatural and lascivious acts. Amending P.S.'91 ch.272. N. H. 33, 7 Mr
- 2570 If defendant in seduction offers marriage *prior to pleading to indictment*, prosecution shall be dismissed. Amending Pen.C.'95 art.969. Tex. 47, 25 Mr
- 2571 Fornication with chaste sane female under 18 [formerly 14] punishable by not over four years in state prison or not over \$500 fine or both. Amending R.S.'98 §4580. Wis. 99, 30 Mr
- 2572 Burglary. Definition of burglary in second degree amended (R.S.'89 §3526). Mo. p. 161, 31 My; p.162, 22 Ap
- 2573 Possession of burglars' instruments felony. Mo. p.164, 11 My
- 2574 Making, mending or possessing burglars' tools prohibited. N. H. 5, 14 F
- 2575 Defining burglary of a private residence; punishment any term not less than five years. Amending P.C.'95 ch.6. Tex. 178, 5 Je
- 2576 Larceny. Law relating to reward for information against horse-thieves amended slightly (G.L.'88 §134). Ct. 96, 11 My

Administration of justice

SUMMARY OF LEGISLATION, 1899

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- 2577** Obtaining by false pretense, converting or secreting with intent to convert personal property of another, whether in possession or not, is larceny; does not apply to false pretense as to ability to pay, when payment is due after delivery, unless in signed writing. Mass. 316, 28 Ap
- 2578** Stealing of fowls punishable by fine and imprisonment. R. I. 672, 24 My
- 2579** Definition of grand larceny amended (R.S.'98 §4359). U. 30, 9 Mr
- 2580** Embezzlement. Amending G.S.'97 ch.100 §95 defining embezzlement and fixing penalty. Kan. 139, 4 Mr
- 2581** False pretenses. Penalty for obtaining property under false pretenses amended ('95, 182). Ct. 141, 31 My
- 2582** Minor amendments to C.S.'97 §6790 relating to obtaining money under false pretenses. Neb. 104, 7 Mr
- 2583** Defrauding hotel keepers. Misdemeanor to procure entertainment with intent to defraud. Ark. 165, 8 My
- 2584** Person who obtains accommodations at hotel or boarding house with intent to defraud to be guilty of misdemeanor. Kan. 145, 4 Mr
- 2585** Misdemeanor to obtain board or lodging by fraud and without paying; hotel keepers to post copies of act. Tex. 101, 10 My
- 2586** Obtaining board or lodging without payment punishable by fine of \$10 to \$50 or imprisonment 10 to 60 days. Wash. 27, 6 Mr
- 2587** Misdemeanor to defraud keeper of hotel, inn, boarding house or restaurant; punishment fine \$25 to \$200 and imprisonment from 10 to 30 days [formerly not over six months]; innkeeper's duty to provide honest servants; liability limited to \$250 on any property except money or jewelry, provided notice is posted requiring valuables to be deposited. Amending C.'91 ch.145 §32. W. Va. 48, 24 F
- 2588** Miscellaneous frauds. Conversion. After one year's imprisonment for failure to pay penalty for fraudulent marriage, court may release. Amending '95 ch.78. Ind. 184, 4 Mr
- 2589** Executing second deed fraudulently a felony if property be worth \$50, a misdemeanor if worth less; disposing of mortgaged chattels worth \$50 a felony, if worth less a misdemeanor. Amending R.S.'89 §3569-70. Mo. p.162, 15 My
- 2590** Agents or employees making false entries with intent to defraud, guilty of felony. N. M. 36, 11 Mr
- 2591** Person purchasing a stock of goods, wares etc. of another, must be furnished list of creditors of vendor, otherwise sale presumed fraudulent. Or. p.248, 24 F

- 2592 **Trespass. Malicious mischief.** Penalty for malicious mischief amended (R.S.'89 §3586). **Mo.** p.163, 24 My
- 2593 **Misdemeanor to enter inclosed lands of another *after being forbidden or to enter and curse, insult and annoy owner or any person rightfully there.*** Amending '93, 9. **W. Va.** 59, 25 F
- 2594 **Vagrancy.** Punishment for tramps 60 days to 10 months; trial justices and municipal and police courts have jurisdiction. Amending '89 ch.288 §2. **Me.** 130, 17 Mr
- 2595 **Vagrants to be imprisoned not over 90 days in jail [formerly or not over six months in poorhouse, at discretion of justice].** Amending R.S.'98 §1546. **Wis.** 91, 30 Mr
- 2596 **Miscellaneous crimes.** Penalty for destruction of trailing arbutus. **Ct.** 102, 11 My
- 2597 **Misdemeanor to fell tree so as to break another's fence or obstruct road over two hours.** **Fla.** 119, 2 Je
- 2598 **Penalty for obstructing railroad trains or street cars. '93 p.68 reenacted to correct illegality in passage.** **Id.** p.182, 9 F
- 2599 **Prohibiting wearing of spiked shoes in public building, hotel, depot, car or steamboat; act to be posted.** **Me.** 5, 10 F
- 2600 **Felony to break into or enter barn, granary or outbuilding in night with intent to commit crime.** **Mich.** 34, 11 Ap
- 2601 **Penalty for stealing fruit or injuring trees or vines [formerly in July to October] \$1 [formerly \$5] to \$100. Amending C.L. §11,645.** **Mich.** 62, 2 My
- 2602 **Felony to advocate polygamy.** **Mich.** 249, 15 Je
- 2603 **Breaking into schoolhouse or church a misdemeanor; penalty.** **Mo.** p.164, 17 My
- 2604 **Penalty for taking notes, bonds and choses in action out of state for suit in foreign state against resident debtor.** **Mo.** p.166, 14 Ap
- 2605 **Amending punishment for conspiracy and aid to lotteries. ('98 ch.235 §37,58).** **N. J.** 87, 22 Mr
- 2606 **Verbal amendment to C.L.'97 §1082 relating to penalty for mutilating the body of a person.** **N. M.** 80, 16 Mr
- 2607 **Amending Pen.C. §564 relating to false personation.** **N. Y.** 327, 17 Ap
- 2608 **Fixing penalty for abduction of children under 16. Amending G.L. ch.277 §21.** **B. I.** 617, 2 Mr
- 2609 **Digging or pulling ginseng prohibited from March 15 to September 15.** **S. C.** 64, 2 Mr
- 2610 **Whitcapping defined; imprisonment two to five years.** **Tex.** 126, 20 My
- 2611 **Felony to burn building erected or used for public purposes. Amending C.'91 ch.145 §4.** **W. Va.** 3, 20 F

- 2612** Minor amendment to R.S.'98 §4499 regarding false personation of county officers. Wis. 36, 23 Mr
- 2613** Punishment for mayhem not over 15 [formerly five] years or \$200 to \$5000 [formerly \$1000] or both. Amending R.S.'98 §4372. Wis. 70, 30 Mr
- 2614** Felony to burn *farm machinery or any other personal property*. Amending R.S.'98 §4403. Wis. 240, 22 Ap

## State and local government.

(See also Political regulations, 540; Finance, 1069; Courts, 1904; New constitutions, p. 354; see also special subjects, Education, Charities, etc.)

### General

- 2615** Public officers. State fee and salary commission created to serve two years; investigate entire subject of official fees and salaries of state, county and township officers. Ind. 147, 3 Mr
- 2616** Incoming officer to complete all unfinished business begun by his predecessor; *duty of sheriff specially mentioned*. Amending R.S.'87 §487. Ari. 18, 4 Mr
- 2617** Limiting the absence from the state of state, district and county officers. Amending R.S.'87 §326, 1826. '97 p.15; '90-91 p.21 reenacted to correct illegality in passage. Id. p.13, 2 F
- 2618** When state, city or county officer has been successful in a trial brought to remove him from office, or to convict him of crime in the performance of his duty, his expenses in the legal proceedings must, on approval by court, be paid by state, city or county. N. Y. 700, 25 My
- 2619** Referring to next legislature amendment to constitution making the giving or acceptance of frank or free pass bribery. Wis. j. r. 8, 13 Ap
- 2620** All officers having custody of money to give bond; surety companies may be accepted on such bonds and premium due paid from public funds. Wy. 94, 21 F
- 2621** Official oath amended (R.S.'87 §350). '95 p.14 reenacted to correct illegality in passage. Id. p.234, 14 F
- 2622** Civil service. Revision of law; "fitness" examination abolished; mayor may appoint city civil service commission, but its rules may be amended or suspended by state commission; classification of service; certain positions exempt; soldiers preferred. N. Y. 370, 19 Ap

- 2623 Establishing civil service rules for employees of police and fire departments in cities of 100,000 to 1,000,000; an ex officio board; chief examiner. Pa. 25, 4 Ap
- 2624 Regulating appointment and discharge of employees in police, fire, engineering or sanitary departments of taxing districts; quarterly examinations of applicants; dismissals only after hearing; retirement on one third salary; pensions for families of employees killed on duty. Tenn. 61, 28 Ja
- 2625 *Records. Commissioner of public records* [formerly secretary of commonwealth] to furnish ink for records; *approved typewriters allowed*; penalty \$5 to \$50. Repealing '94, 378; '98, 510. Mass. 354, 9 My
- 2626 County, city and township records not to be removed from custodian's office except on order of competent court or on subpoena duces tecum. Mich. 92, 1 Je
- 2627 Provincial records and papers to be removed to state library; secretary of state to report plan for arranging and indexing. N. H. 63, 10 Mr
- 2628 No fee for searching public record. Tenn. 323, 22 Ap
- 2629 Altering or injuring public records a felony; fine up to \$5000 or one to five years imprisonment; cumulative of all other laws. Tex. 163, 5 Je
- 2630 Verbal change in R.S.'98 §4149 as to certified copies of public records. Wis. 351, 4 My
- 2631 *Miscellaneous.* Public buildings of the state and of the various counties to be insured. N. M. 26, 1 Mr
- 2632 Supplies for state and county institutions to be purchased, as far as practicable, within the state and county respectively. S. D. 130, 2 Mr
- 2633 Contractors on public work to give bond to pay laborers and material men. Tenn. 182, 17 Mr

### State government

**Officers and departments.** (See also Elections, 552; Legislature, 715, and special officers under specific heads, as Charities, Railways, etc.)

- 2634 Offices of deputy treasurer, deputy auditor and deputy secretary of state created salary, \$1800; bond. Mon. p.86, 7 Mr
- 2635 Secretary of state, auditor, treasurer and superintendent of public instruction may each appoint one deputy, who shall also act as clerks to state board; salary \$125 a month. Wy. 35, 16 F
- 2636 *Appointment. Terms.* Term of territorial officers appointed by governor to be two years. Ari. 9, 21 F

- 2637 Term of state and district officers amended. Id. p. 67, 2 F
- 2638 When secretary of state, auditor, attorney general or superintendent of public instruction is temporarily unable to perform his duties, governor to appoint a substitute. '90-91 p.39 reenacted to correct illegality in passage. Id. p.21, 2 F
- 2639 **Fees. Salaries.** Salaries of state and district officers to be paid quarterly. '90-91 p.20½ reenacted to correct illegality in passage. Id. p.142, 7 F
- 2640 State officials whose duties require travel, unpaid boards and others who act occasionally shall be allowed actual reasonable expenses. Mass. 459, 2 Je
- 2641 Forbidding the acceptance by state officers of rebates or extra compensation in addition to that provided by law. S. C. 66, 6 Mr
- 2642 **Miscellaneous.** Territorial officers to make their reports by October 1. Repealing '97, 14. Ari. 28, 11 Mr
- 2643 State officers to procure bonds from surety company in lieu of personal bond now required by law; premium to be paid by state. Ct. 112, 20 Je
- 2644 General state officers may close their offices at noon Saturdays. R. I. 699, 31 My
- 2645 Abolishing board to regulate employment of extra help in state departments. Amending R.S.'98 §169. Wis. 290, 28 Ap
- 2646 Treasurer and auditor to report biennially to governor. Wy. 64, 20 F
- 2647 **Governor.** Total compensation of lieutenant governor \$1800 [formerly \$1800 and \$10 a day during sessions of legislature]. Nev. 37, 7 Mr
- 2648 \$500 a year may be appropriated for clerical service for governor. Amending '76, 28. N. J. 60, 21 Mr
- 2649 *Secretary* [formerly private secretary] to be appointed by governor and paid salary of \$4000. Amending '92 ch.683 art.1 §3. N. Y. 11, 21 F
- 2650 Contingency fund of \$500 a year at disposal of governor. N. D. 66, 7 Mr
- 2651 In addition to salary, \$1500, governor to be paid expenses of himself and staff not to exceed \$1000. Vt. 129, 30 N '98
- 2652 Executive clerk of governor; term; salary; provision for governor's stenographer repealed. Amending Vt.S. §210, 216, 5344. Vt. 130, 30 N '98
- 2653 **Secretary of state.** (See also Public documents and printing, 769) Additional clerk in office of secretary of state. Cal. 105, 20 Mr
- 2654 Salary of chief of corporation division in department of state \$1500. Mich. 33, 11 Ap

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- 2655 Salary of chief of building and loan division of department of state \$1500. Supplementing '95, 269. Mich. 156, 23 Je
- 2656 Fees of secretary of state amended (R.S.'89 §5030). Mo. p.217, 24 My
- 2657 Amending P.C.'95 §410 relating to fees of secretary of state. Mon. p.47, 2 Mr
- 2658 To receive salary of \$2500 [formerly \$800 and certain fees]. Amending P.S.'91 ch.286 §3. N. H. 104, 11 Mr
- 2659 Revision of fees in office of secretary of state. Tenn. 2, 25 F; 209, 7 Ap
- 2660 To give \$25,000 bond with six sureties. Amending R.S.'95 art.2801. Tex. 4, 7 F
- 2661 Correcting R.S.'98 §140 as to employment of chief clerk by secretary of state. Wis. 351, 4 My
- 2662 Amending '90-01 ch.95 §13 as to fees of secretary of state. Wy. 69, 21 F
- 2663 State treasurer. (See also State finance, specially Audit and account, 1072) Bond to be \$150,000 [formerly \$250,000] and may be executed by guarantee companies; state to pay premium. Ala. p.242, 1 D '98
- 2664 Bond \$125,000 [formerly \$75,000]. Amending R.S.'93 ch.24 §11; '71 ch.24 §5. Del. 201, 16 Mr
- 2665 May appoint deputy treasurer. '93 p.150 reenacted to correct illegality in passage. Id. p.220, 10 F
- 2666 Additional bond may be required of treasurer by governor and state auditor [formerly legislature]; premium for corporate security may be paid. Amending G.S. §340. Minn. 95, 25 Mr
- 2667 May appoint deputy to serve during his pleasure; salary \$2000 [formerly \$1800]. Minn. 2898, 20 Ap; 302, 20 Ap
- 2668 Salary of deputy state treasurer \$1400 [formerly \$1500]. Nev. 65, 14 Mr
- 2669 Bonds to be purchased by state from surety company. N. H. 141, 11 Mr
- 2670 Duties amended slightly (R.S.'98 §2428). U. 67, 9 Mr
- 2671 State auditor. Controller. (See also State finance, specially Audit and account, 1072) Salary of auditor amended (Code '96 §1996). Ala. p.76, 30 N '98
- 2672 Creating office of expert controller; salary \$2000. Repealing '95, 71. Cal. 109, 20 Mr
- 2673 Auditor may employ messenger; salary \$900. Mass. 151, 16 Mr
- 2674 Creating chief clerk for auditor general; salary \$1500; assistant \$1400. Mich. 161, 23 Je
- 2675 Duties of auditor amended slightly (R.S.'98 §2421, 2423). Repealing R.S.'98 §2422-23. U. 69, 9 Mr



- 2676 Attorney general.** Salary \$2500 [formerly \$1500]. Amending Digest '94 §6814. Ark. 151, 8 My
- 2677 Duties** slightly amended; *annual* [formerly biennial] report to general assembly [formerly or governor]. Amending '97 ch.191 §2, 5. Ct. 155, 2 Je
- 2678 To prosecute** all civil actions brought in name of state or of state ex rel. state boards; no bond for costs or damages. Ind. 133, 2 Mr
- 2679 Creating** chief law clerk for attorney general; salary \$1500. Mich. 161, 23 Je
- 2680 Salary** of second assistant attorney general \$2000 [formerly \$1500]. Repealing G.S. §7963 ¶3. Minn. 139, 8 Ap
- 2681 Allowed** an additional law clerk. Pa. 89, 28 Ap
- 2682 Revision** of law as to attorney general; term *four* [formerly two years]; salary \$2000 [formerly \$1200]. Wy. 22, 15 F
- 2683 Miscellaneous officers.** Salary of commissioner of public works \$2500 [formerly \$3000]. Repealing '93, 232; '97, 28. Cal. 126, 21 Mr
- 2684 State examiner** authorized to appoint assistants. N. D. 151, 8 Mr
- 2685 Fees** of state engineer. Amending '95 ch.45 §4 and ch.62 §6. Wy. 79, 21 F

**Miscellaneous**

- 2686 Contractors** on state work to give bond to pay for labor and material. Wis. 202, 28 Ap
- 2687 Boundary.** Commission on northern boundary of state authorized. Ga. j. r. p.402, 20 D '98
- 2688 Establishing** boundary between Massachusetts and New Hampshire. Mass. 369, 12 My
- 2689 Establishing** portion of boundary between Massachusetts and Rhode Island. Mass. 476, 3 Je; R. I. 683, 26 My
- 2690 Providing** for the institution of an action in supreme court or for creation of commission to determine boundary between Missouri and Nebraska. Mo. p.147, 18 My
- 2691 Authorizing** joint commission to settle boundary between Washington and Oregon. Wash. j. r. p.377, 3 Mr
- 2692 Immigration.** Board of immigration commissioners abolished. Repealing '95, 70. Ari. 3, 24 Ja
- 2693 County commissioner** of immigration may be appointed in counties having assessed valuation of \$6,000,000. Ari. 45, 15 Mr
- 2694 Establishing** a bureau of immigration, labor and statistics in accordance with state constitution; to collect and publish information concerning resources and labor interests of state; term of commissioner two years. Id. p.394 2 Mr

- 2695 Bound of agriculture to promote immigration. Repealing '97, 85.  
N. C. 377, 4 Mr; 720, 8 Mr
- 2696 Annual appropriation of \$500 for printing to promote immigration.  
N. D. 101, 6 Mr
- 2697 Establishing state board of immigration. Wis. 279, 27 Ap
- 2698 Repealing '88, 34 authorizing publications to encourage immigration.  
Wy. 64, 20 F
- 2699 Capitol. Creating board of capitol commissioners to erect new capitol; not to exceed \$1,000,000. Ark. 128, 17 Ap
- 2700 Office of custodian of state capitol created; duties; reports; police power.  
Kan. 242, 4 Mr
- 2701 State capitol decorations, cabinets, specimens, etc. not to be loaned or received from state buildings. Nev. 54, 10 Mr
- 2702 Board of capitol commissioners to consist of *governor*, lieutenant-governor, *secretary of state*, state controller and state treasurer; governor chairman; record of transactions. Amending '87 ch.34.  
Nev. 59, 11 Mr
- 2703 Creating office of superintendent of capitol; salary \$900; term two years.  
Tenn. 198, 14 Mr
- 2704 Buildings. Providing for a governor's residence; \$50,000.  
Cal. 60, 7 Mr
- 2705 Creating fund to maintain governor's residence; \$2500 a year.  
Cal. 115, 20 Mr
- 2706 Appropriating \$25,000 for an executive mansion. Neb. 72, 1 Ap
- 2707 State architect of public buildings to be appointed; term of office four years; salary \$5000. Ill. p.79, 24 Ap
- 2708 Capitol commissioner hereafter to be known as state architect; assistants; duties. Repealing '93 ch.227 §6-12.  
N. Y. 566, 12 My
- 2709 \$20,000 appropriated for construction of electric light plant for capitol and executive mansion. Ill. p.48, 21 Ap
- 2710 Powers of constable given to custodian of public buildings, his appointees, state house engineer and assistants, in state house and grounds. Ind. 10, 3 F
- 2711 Repealing R.S.'89 ch.150 relating to contract for lighting state buildings by electricity. Mo. p.363, 31 My
- 2712 Property supplies. Creating custodian of public documents and supplies; appointed by secretary of state; salary \$1200.  
Minn. 137, 7 Ap
- 2713 Inventory of all personal property belonging to state to be filed by officials with secretary of state on taking office.  
Tex. 171, 5 Je

- 2714 Custody and disposal of unused office supplies by sergeant-at-arms; furnishing of stationery and office supplies to state officers. Vt. 136, 30 N '98
- 2715 Superintendent of public property to advertise for bids for stationery in Madison and Milwaukee [formerly Chicago also]. Amending R.S.'98 §289. Wis. 35, 23 Mr
- 2716 State examiner to keep inventory of chattels belonging to state; state officers and boards to furnish such inventory annually. Wy. 62, 20 F
- 2717 Institutions. Joint committees to investigate state institutions. Ari. p.87, 21 Ja
- 2718 Institutions supported wholly or in part by state to file with controller, on request, a quarterly financial statement. Ct. 194, 15 Je
- 2719 Committees to visit state institutions shall consist of not more than three from senate and nine from house; expenses. Ga. p.109, 20 D '98
- 2720 Expenses of legislative committee to visit state institutions to be paid by state treasurer on auditor's warrant. Amending '97 ch.16. Ind. 2, 16 Ja
- 2721 Boards of trustees of certain state institutions to receive \$300 and expenses not to exceed \$100. Ind. 208, 6 Mr
- 2722 Cities under 10,000 may issue bonds not over \$16,000 for sites for state institutions. Minn. 296, 19 Ap
- 2723 In purchasing supplies for state institutions preference is to be given to products raised in the state. N. Y. 32, 28 F
- 2724 State revenue agent shall investigate all state institutions when required by governor. Amending R.S.'95 art.5058. Tex. 23, 9 Mr
- 2725 Flag. Seal. Flower. Submitting constitutional amendment providing for state flag. *Vote November 1900.* Fla. j. r. 4
- 2726 Adopting design for great seal. '90-91 p. 215 reenacted to correct illegality in passage. Id. p. 147, 7 F
- 2727 State seal to be "the great seal of the state" and to be kept by governor. Amending Vt.S. §175. Vt. 5, 29 N '98
- 2728 White and lavender columbine to be state flower. Col. 139, 4 Ap
- 2729 Oregon grape, *Berberis aquifolium*, to be state flower. Or. p.1131, 91 Ja
- 2730 State parks. Misdemeanor to injure trees or deposit rubbish in Mackinac island state park; superintendent may appoint special police. Amending '95, 222. Mich. 133, 21 Je
- 2731 Cessions to United States. Ceding jurisdiction to United States over all lands that shall be acquired by it for public purposes. Ct. 37, 5 Ap; Ill. p.375, 11 Ap; Minn. 83, 22 Mr; N. Y. 242, 5 Ap

- 2732** Ceding jurisdiction to United States over lands purchased for public purposes. '95 p. 21 *reenacted to correct illegality in passage.*  
Id. p.235, 14 F

### County and township government

(See also Local finance, 1420; also specific functions of counties and towns—Roads, Charities, Jail, Drainage, etc.)

#### Organization. Creation

- 2733** General. General law regulating county business; creating county council of seven members with exclusive power to fix taxes and appropriations, borrow money, buy and sell county real estate. 22p. Ind. 154, 3 Mr
- 2734** New counties. Duties of commissioners of elections amended as to contests in elections for formation of new counties or changing county lines ('96, 35). S. C. 46, 28 F
- 2735** County seats. County lines may be changed when part of county seat city lies in adjoining county; area of counties not to be reduced below 475 square miles. Amending '97, 308.  
Minn. 32, 1 Mr
- 2736** Petition to change county seat not to be *circulated* or filed for five years after special election. Amending G.S. §651.  
Minn. 112, 3 Ap
- 2737** Removal of county seat must be submitted to vote on petition of *three fifths* [formerly two thirds] of electors. Amending R.C.'95 §1881. N. D. 70, 9 Mr

**Commissioners. Supervisors** (See also Administration of justice—County courts, 1980; in many southern states these have general administrative duties)

- 2738** Creating county board of commissioners to consist of an elected supervisor and two commissioners appointed by the governor on recommendation of members of the general assembly from the county; such board to have functions of county supervisor, county board of commissioners and township boards of commissioners. S. C. 1, 12 Ja; 2, 2 Mr; 86, 6 Mr
- 2739** Election. Term. Judge of superior court may fill vacancies in commissioners of roads and revenues where law fails to provide for such cases. Ga. p.93, 20 D '98
- 2740** Amending term of office of county commissioners. N. M. 30, 9 Mr
- 2741** One [formerly two] county commissioner for two years and one for four years to be chosen at each general election. Repealing R.S. §1799. Wy. 11, 9 F
- 2742** Salaries. Fixing salaries of supervisors in counties of first class. Ari. 25, 11 Mr

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- 2743** Regulating salaries of county commissioners. Ind. 241, 6 Mr
- 2744** Salary of commissioners of counties of 200,000 \$1200.  
Minn. 28, 25 F
- 2745** Generally amending G. S. §665 as to pay of commissioners.  
Minn. 177, 14 Ap
- 2746** Amending compensation of commissioners ('97, 60).  
N. M. 25, 1 Mr; 24, 1 Mr
- 2747** Compensation of commissioners of counties of less than 50,000  
amended. Or. p.232, 22 F
- 2748** Meetings. To be held in September and June [formerly July].  
Amending R.S.'97 ch.34 §49. Ill. p.363, 22 Ap
- 2749** Call for special meeting of county commissioners to state busi-  
ness to be done; unlawful to transact any other.  
Ind. 47, 17 F
- 2750** Commissioners in counties of less than 25,000 to meet regularly  
on first Mondays of January, April, July and October.  
Kan. 96, 4 Mr
- 2751** In counties of 50,000 to meet at least twice each week; salary.  
Kan. 97, 4 Mr
- 2752** To meet on first Tuesdays [formerly Mondays] of January, April,  
July and October. Amending Ann.S.'99 §880. S. D. 66, 4 Mr
- 2753** Powers. Miscellaneous. Time of taking official oath by county  
commissioners amended (R.S.'87 §355). '95 p.139 reenacted to  
correct illegality in passage. Id. p.67, 2 F
- 2754** Amending publication of records of county commissioners and  
manner of appealing from their acts (R.S.'87 §1759, 1776-79).  
'95 p.50 reenacted to correct illegality in passage.  
Id. p.248, 14 F
- 2755** Proceedings of supervisors in counties having cities of 250,000  
may in addition to regular pamphlet volume be printed in daily  
newspaper. Amending '92 ch.686 §18. N. Y. 203, 1 Ap
- 2756** Chairman of board of commissioners may administer oaths.  
N. C. 89, 13 F
- 2757** Commissioners may appoint a clerk; exception. Pa. 53, 18 Ap
- 2758** When commissioners' courts can not secure publication of notices  
at legal rates, copies shall be posted at courthouse and in each  
commissioner's district. Tex. 31, 15 Mr
- 2759** Chosen freeholders. Amending duties and salary of clerk of  
board of chosen freeholders ('79, 169).  
N. J. 29, 15 Mr; 216, 24 Mr
- 2760** Incorporated towns not part of any township to be entitled to  
representation on board of chosen freeholders.  
N. J. 82, 22 Mr

- 2761 Amending R.S.'46 p.181 relating to chosen freeholders; term of office in counties of less than 150,000. N. J. 170, 24 Mr
- Officers. (See also Recorders of deeds, 1540)
- 2762 General. Manner of drawing jurors for trial of impeachment proceedings against member of court of county commissioners, board of revenue or jury commission. Ala. p.105, 23 F
- 2763 County commissioners may remove for cause after hearing justices of the peace and other county officers not liable to impeachment Wy. 7, 7 F
- 2764 Governor may order attorney general to investigate cases against county officers and present them to district court in case county prosecutor fails to act. Wy. 96, 21 F
- 2765 County officials not to buy goods for county use from any store in which they or their relatives by blood or marriage are interested, unless by sanction of majority of board, or unless purchase is as cheap as elsewhere. Ga. p.105, 22 D '98
- 2766 County commissioners to provide public offices for sheriff, surveyor and county superintendent of schools. Ind. 205, 6 Mr
- 2767 Semiannual bills for postage of county treasurer, auditor and register may exceed \$15. Amending G.S. §644. Minn. 332, 20 Ap
- 2768 Amending P.C.'95 §4333 relating to amount of bonds of county officers. Mon. p.77, 7 Mr
- 2769 Filling of vacancies in county offices amended (R.S.'93 §212). S. C. 54, 28 F
- 2770 Unintentional failure of county officer to file bond or take oath does not cause vacancy. Amending R.S.'98 §701. Wis. 3, 28 F
- 2771 Saturday half holiday. Clerks in county and municipal offices in cities of 300,000 and counties adjoining such cities to have half holiday Saturday afternoons. Mo. p. 64, 13 My
- 2772 Salaries. Fees. Generally amending compensation of county and district officers; counties reclassified for purposes of this act. Amending '91 p.307. Col. 134, 11 Ap
- 2773 Fees and compensation of county officers amended (R.S.'87 §276, 2145, 2161). '90-91 p.174; '93 p.39; '97 p.61 reenacted to correct illegality in passage. Id. p.116, 9 F
- 2774 Fixing maximum and minimum salaries for county officers; county commissioners to determine exact amount; manner of payment. Id. p.405, 7 Mr
- 2775 Fixing salaries and fees of certain county officers. Amending certain sections of '97, 131. Kan. 141, 4 Mr
- 2776 Salaries in counties of 500,000 to 800,000 amended ('91, 240). Pa. 9, 21 Mr

- 2777 County board may pay deputy county clerk and deputy treasurer. Amending R.S.'98 §706, 711. Wis. 155, 11 Ap
- 2778 County treasurer. (*See also* Local finance, specially Audit and account, 1478) May appoint deputy treasurers in counties having assessed valuation of \$3,000,000. Ari. 53, 16 Mr
- 2779 Amending C.L. §2548 as to fees of treasurers for transcripts. Mich. 211, 1 Je
- 2780 Commissioners may allow \$800 clerk hire for treasurers where salary is fixed by special laws. Minn. 89, 22 Mr
- 2781 Verbal correction of P.C.'95 §4638 relating to fees of treasurer. Mon. p.49, 22 F
- 2782 May be removed by governor. Amending '92 ch.681 §23. N. Y. 238, 4 Ap
- 2783 Fixing salary of treasurer. Amending R.C.'95 §2080. N. D. 67, 9 Mr
- 2784 Bond not to be less than \$2000 [formerly \$1000]; to be executed by surety company; premium paid by county. N. D. 116, 2 Mr
- 2785 To enter office first Monday in October after election. Okl. 11 art.5, 2 Mr
- 2786 Salaries of county treasurers fixed. Or. p.246, 24 F
- 2787 Auditor. Controller. (*See also* Local finance, specially Audit and account, 1478) Fixing salary of auditors. Amending R.C.'5§2073. N. D. 56, 8 Mr
- 2788 Where auditor does not receive maximum legal salary he may retain transfer fees. Amending '97 ch.126 §95. N. D. 135, 10 F
- 2789 Duties of controller in counties coextensive with cities of 1,000,000 amended slightly ('91, 13). Pa. 129, 5 My
- 2790 County clerk. County clerk of city and county of 120,000 may appoint deputies. Cal. 26, '80, as amended by '91, 7. *Unconstitutional.* Legislature can not pass special or local laws creating offices in cities and counties. City and county of San Francisco *v.* Broderick, 57. P. 887.
- 2791 To provide books and blanks for assessors, town clerks and treasurers. Amending R.S.'98 §1032. Wis. 171, 13 Ap
- 2792 Surveyor. Duties of county surveyor; manner of surveying and marking county lines; fees. '97 p.19 *re-enacted to correct illegality in passage.* Id. p.295, 16 F
- 2793 To have same compensation for work done by deputies as though done by themselves. Amending '91 ch.30. Ind. 88, 24 F
- 2794 Surveyors' minutes of surveys to be filed with registers of deeds. Mich. 195, 10 My

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- 2795 Amending C.S.'97 §3109 relating to fees of surveyor; in counties of 50,000 salary to be paid and fees turned over to treasurer. Neb. 32, 24 Mr
- 2796 Protecting meridian monuments and standards of measure at county seats; surveyors to test their instruments annually. N. C. 665, 8 Mr
- 2797 Duties of county surveyor. Okl. 11 art.4, 2 Mr
- 2798 Salary amended (R.S.'98 §2057). U. 71, 9 Mr

Miscellaneous

- 2799 Courthouses and buildings. Misdemeanor to mar county buildings; county commissioners may appoint county police. Mass. 196, 28 Mr
- 2800 Bonds not exceeding \$425,000 for public buildings may be issued by counties of 50,000 to 150,000. Amending '95, 285. N. J. 142, 24 Mr
- 2801 General law regulating letting of contracts for public buildings, by county commissioners. Ind. 110, 27 F
- 2802 Authorizing county commissioners to condemn land for public buildings; procedure. Ind. 54, 22 F
- 2803 Unlawful for commissioners to construct courthouses in counties of over 25,000 unless 500 resident freeholders petition. Ind. 53, 21 F
- 2804 Amending erection of county courthouses and clerk's and recorder's offices (R.S.'89 §3107, 3108). Mo. p.134, 5 My
- 2805 County record. (See also Recorders of deeds, 1540) When new county is created, records affecting its real estate are to be copied. N. M. 70, 16 Mr
- 2806 Probate clerk, as ex officio recorder, to make indexes to all instruments affecting real estate to other documents required to be recorded. N. M. 80, 16 Mr
- 2807 Miscellaneous. Amending '91 ch.83 §3 relating to county printing. Ari. 17, 3 Mr
- 2808 Submitting constitutional amendment requiring county commissioners to divide county into five districts. Vote November 1900. Fla. j.r. 3
- 2809 When county lines have been changed, commissioners may district county at special meeting of board. Amending R.S.'87 §1748. Id. p.164, 7 F
- 2810 Stationery for county officers to be purchased by committee consisting of auditor, treasurer and chairman of commissioners [formerly by board of commissioners]; advertising not required. Amending R.C.'95 §1906, 1925. N. D. 59, 9 Mr
- 2811 Furnishing of stationery and office supplies to county clerks. Vt. 136, 30 N '98



- 2812** Counties to procure their own blanks. Repealing '97, 35 requiring state printer to furnish. Wash. 84, 13 Mr

**Townships**

- 2813 General.** General law creating township advisory boards with power to reject trustee's estimates, levy township tax, audit trustee's accounts, accept or reject bids for work; duties of trustees. Ind. 105, 27 F
- 2814** General law relating to townships. Revision. N. J. 169, 24 Mr
- 2815** Classifying townships; general law for government of townships having 300 to square mlie. Pa. 86, 28 Ap
- 2816 Organization.** Any city composed of five or more congressional townships may organize its territory into one township. Ill. p.91, 24 Ap
- 2817** Limiting size and population of territory to be organized into towns; other amendments to '95, p.319 relating to alteration of town boundaries. Ill. p.362, 22 Ap
- 2818** Partially depopulated townships may be attached to adjoining townships; indebtedness. Kan. 277, 4 Mr
- 2819** County commissioners on petition of 13 voters may separate contiguous congressional townships embraced in separate organized towns. Minn. 197, 13 Ap
- 2820** Any congressional township *or fractional township bordering on a lake containing more than 18 sections*, may be organized into separate civil township; commissioners, auditor and county judge to distribute property and apportion debt. Amending R.C.'95 §2533-35. N. D. 60, 8 Mr
- 2821** Election for vacation of town to be held on petition of 30 freeholders constituting one third the legal voters; county board may vacate on majority vote. Wis. 253, 26 Ap
- 2822 Meetings.** Towns may hold regular town meeting on general election day; terms of certain town officers. Amending '90, 569. N. Y. 145, 27 Mr
- 2823** Township meeting to be held on *second* [formerly first] Tuesday in March. Amending R.C.'95 §2540. N. D. 159, 6 Mr
- 2824** Town board may submit to vote change of place of town meeting. Wis. 338, 3 My
- 2825 Officers.** Term of town treasurers to be *two* [formerly one] years; exceptions. Ct. 21, 21 Mr
- 2826** First selectman of any town may administer oaths. Ct. 42, 5 Ap
- 2827** Selectmen in towns of 15,000 to give bonds when they are financial agents of town. Ct. 191, 15 Je

- 2828 Township treasurer to make annual statement to township board; statement to be posted at township elections. Kan. 39, 5 Ja
- 2829 Constitutional amendment allowing legislature to abolish powers of township commissioners and overseers of highways. *Adopted April 1899.* Mich. j. r. 5
- 2830 Township board of supervisors to meet on *third* [formerly last] Tuesday of March. Amending '97, 140. N. D. 160, 21 F
- 2831 Term of supervisor to be *three* [formerly one] years. S. D. 84, 16 F
- 2832 Amending '97, 62 relating to place of holding elections and meetings of supervisors in civil townships. S. D. 85, 6 Mr
- 2833 Bonds of town officers to be recorded by clerk; certified copies may be used as evidence. Amending Vt.S. §2994. Vt. 61, 15 N '98
- 2834 Meetings of town supervisors may be held in adjoining town or city. Amending R.S.'98 §783. Wis. 86, 30 Mr
- 2835 Correcting R.S.'98 §4053 as to compelling witness to attend investigation by town board. Wis. 351, 4 My
- 2836 Buildings. Townships may, after vote, acquire land and build public buildings for township; restrictions. Kan. 278, 6 Mr
- 2837 Electors at any *biennial* [formerly annual] town meeting may vote money for townhouse; bonds may be issued. Amending '90 ch.569 §190. N. Y. 531, 5 My
- 2838 Records. Selectmen to keep volumes of town records in repair. Ct. 163, 9 Je
- 2839 Towns may pay for printing town records. Mass. 171, 21 Mr
- 2840 Town clerks to keep an index of deeds, mortgages etc. Amending G.L. ch.41. R. I. 663, 19 My
- 2841 Seals. Towns shall establish seals. Mass. 258, 10 Ap

### Municipalities<sup>a</sup>—incorporation, powers

#### General

- 2842 Incorporation. Governor to appoint a commission to revise and codify laws relating to cities and incorporated towns. N. J. 205, 24 Mr

<sup>a</sup> The usage of terms designating local bodies varies widely in different states. The word *municipality* is herein throughout used in its original and strictest meaning to designate any *densely populated*, incorporated community; thus including cities, villages, boroughs and "towns" (as a name for villages) but not including townships. Where the word *town* is used to designate in general the smallest division of the state regardless of dense population, it is grouped with township government, though in the case of the New England towns the nature of the government approaches more nearly that of a municipality than that of a western township.

In many states, municipalities, specially cities, are divided into classes according to population. As the classification varies widely, the limits of population designated thereby are in these references substituted for the number of the class.

- 2843** General law for the government of cities of 1000 to 15,000 and villages of 200 to 1000; mayor, clerk, treasurer and engineer to be elected for one year; police judge and councilmen for two years; village trustees to be five in number and to be elected for one year; corporate powers; duties of mayor and police judge. '93 p.97 reenacted to correct illegality in passage. Id. p.192, 10 F
- 2844** Cities and villages wishing to incorporate may frame charters under constitutional amendment. Amending '97, 280. Minn. 351, 20 Ap
- 2845** Municipalities under 3000 may disincorporate on petition of one half [formerly fourth] and two thirds [formerly majority] vote; delinquent property may be redeemed on payment of sum due had disincorporation not occurred. Amending '95, 125. Cal. 17, 17 F
- 2846** Reorganization of municipal corporations under higher or lower class to be submitted to vote on petition of one fifth of electors. Cal. 62, 8 Mr
- 2847** Town and village law (R.S.'87 pt1 t.13) amended as to election and duties of assessors and attorneys; as to powers of trustees and magistrates; territorial limits may be extended; other amendments. '90-91 p.159 reenacted to correct illegality in passage. Id. p.106, 9 F
- 2848** Providing for consolidation of incorporated cities, towns and villages. Id. p.359, 25 F
- 2849** Minor amendment to '97 ch.156 §1 relating to succession of a newly created municipality, to property of municipalities out of which it is formed. N. J. 127, 23 Mr
- 2850** Election to abolish municipal corporation to be ordered on petition of 100 taxpaying voters, or of majority if majority is less than 100. Amending R.S.'95 art.617b. Tex. 145, 25 My
- 2851** Annexation. Minor amendments to '89 p.66 regarding annexation of parts of cities, towns and villages to cities, towns and villages. Ill. p.87, 12 Ap
- 2852** 50 [formerly five] freeholders may ask for annexation to municipality; municipality must contain 100 residents and \$5000 real estate. Amending '77, 121. Tenn. 312, 20 Ap
- 2853** Miscellaneous. Manner in which names of cities, towns and villages may be changed; petition; special election. '90-91 p.127 reenacted to correct illegality in passage. Id. p. 82, 2 F
- 2854** Municipal officers, when notified of intention to make conditional gift to city or town, shall call meeting to vote on acceptance. Amending '87, 11. Me. 44, 8 Mr

2855 **Franchises.** Municipalities to grant no franchises for over 30 years; to reserve right to purchase property on expiration.

Fla. 198, 2 Je

2856 Repealing '91, 200 prohibiting councils in cities of 50,000 to 100,000 from altering or extending franchises of street railways, gas, electric light or steam heating companies.

Ind. 50, 18 F

2857 Corporations dealing in artificial cold and refrigerating materials may dig up streets with consent of local authorities.

Mass. 453, 2 Je

2858 Franchises to be submitted to vote in cities of 36,000.

Tenn. 204, 12 Ap

2859 **Direct legislation.** Referendum may be demanded by 40% of voters in incorporated towns, within 30 days after passage of any ordinance to purchase water or light plant or grant any franchise; if voters reject, no similar ordinance shall be enacted within three years.

Ind. 131, 2 Mr

2860 Manner of carrying into effect initiative and referendum as applied to municipal legislation; petition; publishing of law; ballots; election.

S. D. 94, 6 Mr

**Cities. Towns**

2861 **Incorporation.** General law for the government of cities of less than 12,000 accepting it by vote.

N. J. 52, 21 Mr

2862 General law for incorporation as cities of towns, boroughs or territory of over 5000. N. J. 268, '95. *Unconstitutional.* Provision that laws applicable to other cities, even if general, are not to apply to cities under this act makes the act a special one, and therefore unconstitutional. Mayor, etc. of Dover v. Grey, 42 A. 674.

2863 General law for the amending of town and city charters; any amendment not inconsistent with constitution and laws of state may be adopted on petition of majority of freeholders and majority vote of electors.

S. C. 42, 2 Mr

2864 Generally amending laws governing cities of 36,000. 18p.

Tenn. 204, 12 Ap; 303, 20 Ap

2865 General act defining powers of unclassified cities specially chartered before adoption of present constitution.

Wash. 69, 13 Mr

2866 Amending '91, 97 for incorporation and government of cities of 100,000

Ind. 204, 4 Mr

2867 Generally amending '95, 215; '97, 239 as to incorporation of cities under 10,000. 19p.

Mich. 136, 21 Je

2868 "Establishment" of city corporation means "incorporation and organization of government"; village officers to act till city officers qualify. Amending '97, 61.

Minn. 52, 11 Mr

- 2869 Minor amendments to '97, '30 for government of certain cities of less than 12,000. N. J. 53, 21 Mr
- 2870 Any city, town, borough or township of 12,000 may incorporate as a city; officers and their powers; general regulations. N. J. 185, 24 Mr
- 2871 Generally amending '98, 182 for government of cities of 50,000 to 250,000. N. Y. 581, 12 My
- 2872 Petition for incorporation of city must be signed by 100 *real property taxpayers who are electors* [formerly by 100 electors]. Amending R.S.'98 §169. U. 55, 9 Mr
- 2873 Special election on advancing class of towns and cities may be called. Amending '90 ch.7 §16. Wash. 60, 18 Mr
- 2874 Actions involving validity of proceedings in adopting provisions of general city charter law limited to three months. Wis. 165, 12 Ap
- 2875 Newly created *city* detached shall have transcript of public records. Amending R.S.'98 §959 subdiv.8. Wis. 351, 4 My
- 2876 Classes. Classifying cities. S. D. 61, 4 F
- 2877 Annexation. Division. Boundaries. Cities and towns embracing two thirds the assessable property formerly contained in disincorporated municipalities not over 3000 may succeed to public property and debts. Cal. 18, 17 F
- 2878 Towns and cities may annex uninhabited territory. Cal. 41, 2 Mr
- 2879 Providing for division of incorporated towns. Ill. p.74, '91. *Unconstitutional*. Special law, not applying to all territories of at least one square mile having 1000 population; defective title. *People v. Martin*, 178 Ill. 611.
- 2880 Cities and towns made liable for indebtedness on school property in annexed territory. Ind. 163, 3 Mr
- 2881 County commissioners to fix boundaries of cities and towns of 300 to 1500 on petition of five electors. Wash. 79, 13 Mr
- 2882 Wards. If any ward exceeds in population any three other wards combined, city must be redistricted into more nearly equal wards; officers already elected or appointed for old wards to serve their term. N. J. 4, 28 F
- 2883 Buildings. Property. City whose public buildings are damaged by cyclone may levy annual tax for restoring them. Ill. p.103, 24 Ap
- 2884 Land owned by city of 30,000 to 40,000 may under certain restrictions be sold by mayor and council to obtain funds for site and erection of public building; bonds for this purpose may be issued by cities of 15,000. Kan. 82, 1 Mr

- 2885 Vacation of public grounds in cities of 50,000 not allowed except on terms specified in resolution. Minn. 79, 21 Mr
- 2886 Cities of 50,000 may condemn land for public markets. Minn. 292, 19 Ap
- 2887 Cities and towns of 45,000 may acquire and hold lands for hospital, park or other municipal purposes. S. C. 88, 15 F
- 2888 Councils of cities not over 20,000 may lease unopened streets on water front. Wash. 52, 8 Mr
- 2889 Powers. Town and city councils not to prescribe less penalty than statute; conviction under ordinance bars prosecution in state courts. Ark. 36, 6 Mr
- 2890 Minor amendment to '97 p.48 relative to licensing power of cities of 30,000 to 100,000. Mo. p.78, 2 Je
- 2891 City councils may adopt such ordinances as general welfare demands, not repugnant to constitution and laws of state. Amending '97, 102. N. D. 40, 8 Mr
- 2892 Minor amendment to corporate powers of cities of 2500 (Okl.S.'93 ch.14 art.1 §2). Okl. 8 art.2, 13 Mr
- 2893 Powers of municipal corporations of 100 to 10,000 [formerly 5000]. Amending '97, 292. S. C. 37, 3 Mr
- 2894 Miscellaneous. Results of local enumeration to be deemed number of city's inhabitants. Amending '83, 17. Cal. 102, 20 Mr
- 2895 Cities shall establish seals. Mass. 258, 10 Ap
- 2896 Cities of 500 to 3000 and certain others, having no newspaper may publish official advertisement in nearest paper. Amending '95 p.85. Mo. p.92, 29 Mr
- 2897 Cities of 100,000 may not make contracts for labor or materials or property, except after due advertisement; exceptions; temporary loan bonds. N. J. 168, 24 Mr
- 2898 Publication of city ordinances amended as to cities of less than 5000. Amending R.S.'98 §205. U. 16, 6 Mr

Villages. Boroughs

- 2899 Incorporation. On separation of village from township, property in village acquired by general tax shall be held jointly; division when practicable. Minn. 241, 17 Ap
- 2900 On separation of town and village, cemetery may be sold to village. Amending '78, 10. Minn. 340, 20 Ap
- 2901 Incorporation of villages amended (R.S.'89 §1666). Mo. p.93, 2 Je
- 2902 Disincorporation of villages amended (R.S.'89 §1714). Mo.p. 96, 29 My

- 2903 Division of property between a township and a borough set off from that township; *if unable to agree, commissioners may be appointed by court of common pleas; basis of division.* Amending '96, 183. N. J. 1, 24 F
- 2904 Boroughs organized under act since declared unconstitutional, created boroughs: officers; debts. N. J. 209, 24 Mr
- 2905 Villages may consolidate; procedure. Amending '97 art.13 ch.414. N. Y. 56, 8 Mr
- 2906 Territory not exceeding one square mile, or an entire town, having 200 [formerly 300] population may become village. Amending '97 ch.414 §2. N. Y. 154, 28 Mr
- 2907 Boroughs incorporated since Ap. 3, 1851, may become subject to borough law passed on that date. Amending '51 ch.218 §33. Pa. 6, 16 Mr
- 2908 Boundaries. Annexation. Platted lots adjoining village of 1000 may be annexed on petition of majority of owners of plat. Minn. 66, 18 Mr
- 2909 When borough decides to extend its limits any citizen of borough, or of the territory annexed, *or of the township from which the territory is taken*, may appeal to court of quarter sessions. Amending '71 ch.264 §4. Pa. 30, 6 Ap
- 2910 Power of burgess and town council to enlarge boroughs amended ('97, 229). Pa. 92, 28 Ap
- 2911 Villages may annex or discontinue territory, by order of circuit court; procedure. Wis. 78, 30 Mr
- 2912 Annual meeting. Annual meetings of village districts to be held in March *after the second Tuesday.* Amending P.S.'91 ch.58 §8. N. H. 49, 8 Mr
- 2913 Ordinances. Fixing the style of village ordinances and requirements for passage. Amending R.S.'89 ch.30. Mo. p.95, 17 My

### Municipalities—officers

#### Cities

- 2914 General. Prohibiting mayor or member of council from acting as attorneys adversely to city. Kan. 79, 4 Mr
- 2915 Mayor of cities *over 40,000* [formerly over 15,000] may appoint certain officers. Repealing G.S.'97 ch.32 §39. Kan. 80, 4 Mr
- 2916 Increasing the number of officers to be elected and appointed by mayor in cities of the second class having over 5000. Amending C.S.'97 §1522. Neb. 16, 27 Mr
- 2917 Councilmen of city not to hold other public office; officers of city not to be interested in city contracts. Amending '92, 685. N. Y. 237, 4 Ap

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- 2918 Elective city officers to appoint their deputies and assistants, subject to confirmation by city council. Amending R.S.'98 §214. U. 81, 20 Mr
- 2919 Common council. Election of city officers by common council or aldermen not valid unless by viva voce vote. Mass. 170, 20 Mr
- 2920 Submitting constitutional amendment: in a city which includes one or more entire counties, the powers and duties of boards of supervisors may be devolved on *municipal assembly, council, board of aldermen or other legislative body* of city. *Adopted November 1899.* N. Y. p.1603, 22 Ap
- 2921 Mayor. Electors may petition superior court or judge to compel mayor to perform duties imposed by charter and ordinances; powers of court; regulations. Ct. 18, 21 Mr
- 2922 In cities under 30,000, mayor may veto ordinance; majority may pass again within 30 days. Ind. 94, 24 F
- 2923 Council of cities of 12,000 to 100,000 may fix salary of mayor at not more than \$2500; act applies to cities accepting it by vote of electors. N. J. 27, 14 Mr
- 2924 Other officers. City attorneys and city civil engineers in cities of not exceeding 35,000 can not be removed except for cause during term for which they are elected. Ind. 250, 6 Mr
- 2925 In cities of 100,000 council may increase salary of city engineer to \$3500. Amending '95, 165. Ind. 247, 6 Mr
- 2926 City attorney and city assessor in cities of 2000 to 15,000 to be *elected* [formerly appointed]. Kan. 6, 6 Ja
- 2927 Cities may appoint deputy clerks. N. H. 90, 11 Mr
- 2928 Any attorney or counselor at law eligible to office of attorney or solicitor for any city. N. J. 26, 13 Mr
- 2929 Clerks of cities of 2500 to keep a journal of proceedings. Okl. 8 art.4, 17 F
- 2930 Salary of city attorney in taxing districts of 60,000 \$3600. Amending '79, 11. Tenn. 53, 28 Ja
- 2931 In taxing districts fire and police commissioners and members of board of public works must have been *taxpaying residents* five years prior to election. Amending '79, 11. Tenn. 200, 6 Ap
- 2932 Employees of engineering department of taxing districts to be appointed by fire and police commissioners on nomination of mayor. Amending '79, 11. Tenn. 223, 17 Ap
- 2933 Recorder in cities of less than 12,000 to be ex officio city auditor. Amending R.S.'98 §213. U. 24, 9 Mr
- 2934 In cities under special charters street commissioners may be elected by council instead of by people. Amending R.S.'98 §926. Wis. 51, 23 Mr



- 2935 Repealing '97, 163 authorizing assistant city attorneys in cities over 40,000. Wis. 255, 26 Ap
- 2936 City treasurer to receive such compensation as council directs [formerly \$300 to \$1200]. Amending '93 ch.70 §8. Wash. 109, 13 Mr
- 2937 Saturday half holiday. Clerks in county and municipal offices in cities of 300,000 and counties adjoining such cities to have half holiday Saturday afternoons. Mo. p.64, 13 My
- Villages. Towns. Boroughs**
- 2938 Any attorney or counselor at law eligible to office of attorney or solicitor for any borough or town. N. J. 26, 13 Mr
- 2939 Villages. Council to fix compensation of village recorder. Amending G.S. §1264. Minn. 115, 3 Ap
- 2940 Term of office of village trustees *two* [formerly one] years. Amending C.S.'97 ch.14 art.1. Neb. 13, 1 Ap
- 2941 Treasurer and clerk of governing body of village may be appointed either from that body or from the voters. Amending '82, 121. N. J. 187, 24 Mr
- 2942 Towns. Towns may appoint deputy clerks. N. H. 90, 11 Mr
- 2943 Recorder of an incorporated town may designate a justice of the peace or attorney at law to act in his stead during temporary absence. Amending '95, 113. N. J. 99, 22 Mr
- 2944 Salary of town clerk not to exceed \$2000 [formerly \$1000]. Amending '95 ch.113 §25. N. J. 100, 22 Mr
- 2945 Salary of town treasurer not to be changed during term. Amending '97, 71. N. J. 109, 23 Mr
- 2946 In towns of 3500 to 5000, mayor to receive \$100, councilmen \$50, marshal \$1200. Wy. 56, 18 F

### Police—Fire department

(See also Public safety, 4188; Peace officers, 2033)

- 2947 General. Providing for an elective board of fire and police commissioners in each city of 40,000; organization powers, salaries, report. Repealing '89, 181; '87, 100. Kan. 4, 7 Ja; 5, 4 Ja. *Un-constitutional*. Special act, affecting but one city. State v. Downs, 57 P. 962.
- 2948 Reorganizing police and fire departments in cities of 12,000; abolishing board of police and fire commissioners; mayor to appoint heads of departments. Repealing '96, 73. U. 28, 9 Mr
- 2949 Members of fire and police departments *who comply with constitution and by-laws* constitute relief associations; *members joining after May 1, 1899, not entitled to benefits after leaving service*. Amending R.S.'98 §1987. Wis. 145, 10 Ap

2950 No appointment, *either temporary or regular*, to police or fire department unless approved by board; *approved list to be kept filed with city clerk; all salaries to be fixed by council; no fees allowed; chief liable to suspension by board; all other officers may be suspended by chief, board to hear and determine.* Amending R.S.'98 §959 subdv.41, 44-45. Wis. 178, 14 Mr

2951 Creating fire and police pension funds in cities of 150,000. Wis. 264, 265, 26 Ap

**Police**

2952 **Municipal—general organization.** General law for establishment of police boards and organization of police force in cities of 300,000. Repealing '60-61 p.446. Mo. p.51, 15 Mr

2953 Creating board of police in cities of 100,000 to 300,000; powers; duties; regulations. Mo. p.65, 16 My

2954 Repealing '94, 533 authorizing appointment of boards of police commissioners in cities and towns by board composed of governor, secretary of state and controller general. S. C. 44, 15 F

2955 Qualifications for service in police department of city; tenure; removal for cause only and by written charge; defense. N. J. 16, 8 Mr

2956 Town marshals to be appointed by boards of trustees of towns or villages; duties. N. M. 14, 16 F

2957 Establishing civil service rules for employees of police and fire departments in cities of 100,000 to 1,000,000; ex officio board; chief examiner. Pa. 25, 4 Ap

2958 **Pensions.** Pension of deceased policeman to be paid to widow or minor children. Ill. p.101, 24 Ap

2959 Police board may deduct ¼% from pay of each officer and policeman for pension fund. Amending '88 ch.62 §4. N. J. 105, 23 Mr

2960 Municipalities may provide pensions for families of policemen who die or are permanently disabled in discharge of duty. N. J. 199, 24 Mr

2961 **Miscellaneous regulations.** Mayors not to appoint nonresident policemen. Mo. p.167, 29 Ap

2962 Drivers and attendants of police vans and patrol wagons to be members of police force. N. J. 200, 24 Mr

2963 Unlawful for police to use official power to aid political party or to contribute money for same. N. Y. 529, 5 My

2964 Fire and police commissioners may appoint one policeman to every 750 inhabitants. Amending '79, 11. Tenn. 52, 25 Ja

**Fire department**

- 2965 Organization. Support.** Generally amending '81, 36 as to fire departments in unincorporated towns and villages. Cal. 59, 6 Mr
- 2966** Council of city or town may establish fire department; appointments; duties; disability fund created. Mon. p. 73, 7 Mr
- 2967** Polls to be open from 3 to 7 p.m. at annual meetings in townships held to determine amount of fire appropriation. Amending '79, 72. N. J. 18, 9 Mr
- 2968** Cities, towns and boroughs having a fire department may levy for its support a tax of  $\frac{1}{4}\%$  annually. Amending '88, 169. N. J. 192, 24 Mr
- 2969** State auditor's warrants for benefit of local fire departments to be drawn *June* [formerly *July*] 1. Amending R.C.'95 §2464. N. D. 92, 6 Mr
- 2970** Municipal corporations of 1000 or over may levy tax of 7 [formerly 5] mills for fire department. Amending R.C.'95 §2459. N. D. 172, 7 Mr
- 2971** Towns of 500 to 1000 may maintain fire department and establish fire limits. S. C. 36, 6 Mr
- 2972 Pensions. Relief.** Amending regulations for relief of members of state firemen's association disabled in service; appropriation for expenses of association. Repealing G.L.'88 §347; '89, 54; '93, 19. Ct. 221, 20 Je
- 2973** Allowance to families of firemen or members of protective department or any person doing fire duty at request of authorities in town having no fire department, killed while on duty. Amending '93, 401. Mass. 417, 25 My
- 2974** Amending adoption by cities of 30,000 to 100,000 of act for pensioning disabled firemen ('93 p.112). Mo. p.104, 9 My
- 2975 Miscellaneous.** Regular firemen to have five to 10 [formerly 10 to 15] days vacation each year and two days leave of absence each month [formerly sick leave not to count on vacation]. Amending '95, 84. Cal. 49, 4 Mr
- 2976** Unlawful to open fire hydrant without authority except to extinguish fire. Amending Pen.C. §639. N. Y. 338, 17 Ap

**Light. Water. Power. Heat**

- 2977** Water, gas and electric light works hereafter authorized by city or town, or the franchise of which is extended, may be purchased by city or town after 20 years. Amending '93 ch.160 §1, 3. Col. 153, 6 Ap

**Light. Power. Heat.** (*See also* Public safety—electric wires, 4224)

2978 Board of gas and electric light commissioners may spend \$3000 for statistics, books and stationery and \$3500 for clerk hire.

Mass. 365, 12 My

2979 Salary of inspector of gas-meters \$2500 [formerly \$2000]; allowance of \$2500 for deputies and expenses. Amending P.S. ch.61 §2, 6.

Mass. 465, 2 Je

2980 **Public lights. Contracts.** Cities, and incorporated towns constructing gas or electric light works may levy rents and taxes for same; limit of tax; contract with company for light.

N. M. 37, 11 Mr

2981 Amending power of aldermen in cities of 500 to 3000 and in certain other cities as to making contracts for street lighting and furnishing gas ('95 p.65 §73).

Mo. p.88, 15 My

2982 Petition for electric lighting in towns to be signed by *majority* of [formerly not less than 25] taxpayers. Amending '98 ch.669 §2.

N. Y. 492, 2 My

2983 **Gas and electric companies.** Owner of land laid out in lots but not in an incorporated city may lay natural gas pipes in streets; restrictions.

Kan. 143, 17 F

2984 Extending '81, 70 relating to incorporation of electric light companies to corporations for supplying electricity *for any purpose*; repealing provision requiring secretary and treasurer to reside in state; *must maintain office in state in charge of official on whom process may be served.*

Mich. 96, 1 Je

2985 Electric heat, light and power companies in cities of less than 250,000 and in towns and villages may lay pipes etc. and supply steam to consumers. Amending '90 ch.566 §61.

N. Y. 565, 12 My

2986 Providing for incorporation of lighting and heating companies. Amending '75, 142.

Tenn. 300, 21 Ap

2987 Cities and towns may authorize private parties to construct electric plants and may purchase power and control price; may appropriate water from any lake or water course, lay pipes, build dams and occupy shores. Amending '97, 112.

Wash. 129, 14 Mr

2988 **Apparatus.** Misdemeanor to injure or tamper with electric apparatus or divert current.

Ind. 40, 17 F

2989 Tampering with or obtaining electric current without authority a misdemeanor.

N. J. 85, 22 Mr

2990 Unlawful to injure electric wires or cables or interrupt current.

Wash. 111, 13 Mr

**Water.** (*See also* Irrigation, 4474)

- 2991** **Municipal works.** Regulating the acquiring of waterworks by cities, incorporated towns and villages. Ill. p.104, 22 Ap
- 2992** Cities, towns and villages may purchase or lease waterworks by ordinance after publishing terms of purchase or lease, provided 20% of voters do not petition council or board of trustees to submit question to vote. Amending '93 p.82. Ill. p.106, 24 Ap
- 2993** Cities and villages may levy annual tax of 1c on the dollar to purchase or construct waterworks. Ill. p.108, 19 Ap
- 2994** Cities and towns under 30,000 may purchase waterworks heretofore constructed by private companies. Ind. 254, 7 Mr
- 2995** Towns may, after vote, purchase waterworks and issue bonds for payment. N. J. 95, 22 Mr
- 2996** Cities and incorporated towns constructing waterworks may levy rents or taxes for same; limit of tax; contract with a company for water. N. M. 37, 11 Mr
- 2997** Taxing districts, cities and towns of 60,000 may build waterworks or condemn and take private system. Amending '79, 11. Tenn. 32, 28 Ja; 68, 28 Ja
- 2998** Cities under 40,000 may purchase or build waterworks; question to be submitted to electors. Wis. 348, 3 My
- 2999** **Water bonds.** City councils empowered *when authorized by popular vote* to issue waterworks bonds not exceeding 4% of assessed valuation, *amount not to be diminished because proceeds of bonds for general purposes have been used for waterworks.* Amending '97, 102. N. D. 40, 8 Mr
- 3000** Cities of 4000 to 20,000 may issue new 4½% waterworks bonds to redeem old ones. Amending '83, 252. Tenn. 14, 2 Mr
- 3001** Counties and civil townships and municipal corporations except cities over 10,000, may issue bonds for water for irrigation and domestic use; limit; vote. S. D. 52, 3 Mr
- 3002** Cities of 10,000 may issue bonds for waterworks; election. S. D. 53, 6 Mr
- 3003** **Miscellaneous regulations.** Cities owning waterworks may contract to supply other municipalities. Mo. p.106, 25 Ap
- 3004** Cities, towns and villages authorized to own waterworks may lay pipes and contract with another city, town or village for water. Mo. p.107, 6 My
- 3005** Towns, townships and boroughs owning or controlling waterworks may supply water to dwellers in other towns etc. through which the mains may pass. N. J. 206, 24 Mr

- 3006 Village may contract to furnish water to a town, *water supply district*, village or fire district. Amending '97 ch.414 §234.  
N. Y. 82, 14 Mr
- 3007 Cities not to assess frontage water tax for over five years.  
Minn. 87, 22 Mr
- 3008 Cities of 10,000 to 50,000 may levy frontage tax for water mains for 10 years.  
Minn. 248, 17 Ap
- 3009 Boroughs may make contract for not exceeding 10 [formerly five] years for public water supply. Amending '97 ch.161 §76.  
N. J. 55, 21 Mr
- 3010 Town board may establish one or more water supply districts in the town outside an incorporated village and contract for water supply; expense to be paid by district, but town is responsible. Amending '90 ch.569 art.7.  
N. Y. 68, 10 Mr
- 3011 Taxing districts of 60,000 may compel owners, tenants or occupants of buildings to use for sanitary purposes the water furnished by general waterworks system public or private.  
Tenn. 47, 28 Ja
- 3012 **Water companies.** Councils of cities of 30,000 to 100,000 may fix rates for water taken by individuals from works not owned by city (R.S.'89 §1435).  
Mo. p.82, 25 Mr
- 3013 **Ice.** For the farther protection of ice-cutters on the Hudson river. Amending '95 ch.953 §2.  
N. Y. 264, 7 Ap
- 3014 **Pollution of water. Inspection.** Local health officers may send water to state board for analysis; cutting of impure ice forbidden. Repealing G.L.'88 §2654.  
Ct. 229, 20 Je
- 3015 State board of health may on petition establish regulations for protection of water and ice supply of city or town.  
N. H. 57, 9 Mr
- 3016 Polluting matter must not be discharged into the waters of any stream or reservoir from which any city or town obtains its supply of water.  
N. J. 41, 77 Mr
- 3017 State sewerage commission created to prevent pollution of water; sewerage districts; powers; bonds; commissioners to adjust disagreements; secretary of board.  
N. J. 210, 24 Mr
- 3018 Unlawful to throw refuse matter into running streams; such matter to be burned.  
N. M. 79, 16 Mr
- 3019 Powers of state board of health as to protection of water supplies amended ('93 ch.661 §70).  
N. Y. 251, 5 Ap
- 3020 Providing for frequent inspection of watersheds which supply public water; examination of water; rules.  
N. C. 670, 8 Mr
- 3021 State board of health empowered to prevent contamination of water supplied for domestic uses in cities of 1,000,000. Amending '85, 37.  
Pa. 116, 2 My

- 3022 Cemetery not to be located on stream or watershed supplying water to cities of 36,000 within 10 miles from limits.  
Tenn. 298, 25 Mr
- 3023 Cities and towns given jurisdiction over all property by means of which and all sources from which water supply is obtained; power to abate nuisances polluting; procedure; sanitary officers to enforce.  
Wash. 70, 13 Mr

### Local improvements. Assessments

- 3024 Regulating local improvements in cities of less than 100,000 and incorporated towns; assessment and collection of cost; bonds.  
Col. 150, 3 Mr; 151, 8 Ap
- General street improvement. (*See also* Special assessments, 3086)
- 3025 Minor amendment to R.S.'89 §1404 relative to power of council in cities of 30,000 to 100,000 to grade and improve streets.  
Mo. p.78, 12 Ap
- 3026 Powers of village trustees amended as to opening and improving of streets (R.S.'89 §1677, 1678).  
Mo. p.94, 2 Je
- 3027 Cities, towns and villages of less than 10,000 and operating under special charters may levy tax for improving streets.  
Mo. p.97, 4 My
- 3028 Generally amending C.S.'97 §996, 1055-57, 1064, 1060 and 973 relating to street improvements.  
Neb. 12, 31 Mr
- 3029 Amending borough law ('97, 161) as to street improvements.  
N. J. 63, 21 My
- 3030 Grading. Relative to grading streets and ascertaining damages caused thereby in cities of 300,000.  
Mo. p.61, 2 Je
- 3031 Towns may by ordinance fix street grades and make maps showing them.  
N. J. 163, 24 Mr
- 3032 Municipal corporations may establish grades of streets or parts thereof. Amending '91 ch.59 §8.  
Pa. 82, 28 Ap
- 3033 Paving. General law for issuing bonds and levying assessments for street paving in cities which cast 700 votes for mayor; owners of two thirds abutting property must petition or three fourths of council must vote for improvement; to authorize bonds a two-thirds vote of electors necessary. '95 p.41 re-enacted to correct illegality in passage.  
Id. p.244, 14 F
- 3034 Parts of streets connecting adjoining parallel paved streets may be ordered paved by city council; and other amendments to '95, 274.  
Kan. 81, 4 Mr
- 3035 Increasing the power of mayor and council in cities of 10,000 to 15,000 to order the paving of certain streets and to use certain city funds for paving.  
Kan. 84, 4 Mr

- 3036 Special paving assessments in villages payable in five equal parts; whole due on failure to pay one; deferred payments draw 6% interest; council may issue bonds to pay. Amending '95 ch.3 subch.8. Mich. 39, 18 Ap
- 3037 Before paving, council may require necessary pipes, wires, etc. to be laid; pavement not to be disturbed for five years without permission. N. J. 189, 24 Mr
- 3038 Opening. Altering. Vacating. Streets and highways laid out by any person or corporation to be 3 rods wide; exceptions; opening. Ct. 205, 20 Je
- 3039 Vacation of public grounds in cities of 50,000 not allowed except on terms specified in resolution. Minn. 79, 21 Mr
- 3040 Repealing R.S.'89 §1821 relative to recovery of damages caused by change of grades or lines of streets. Mo. p.104, 2 Je
- 3041 Councils of cities of 12,000 to 100,000 may, in certain cases, change location of unopened street; petition of owners; public hearing. N. J. 129, 23 Mr
- 3042 Councils of seaside or summer resort cities may lay out, alter or widen streets; commissioners to assess damages and benefits; notice; compensation. N. J. 134, 24 Mr
- 3043 Town law amended as to laying out or changing streets ('95 ch.113 §61). N. J. 154, 24 Mr
- 3044 Cleaning. Watering. Town, city or borough may sprinkle streets; street railroad company to sprinkle roadbed; assessments for sprinkling a lien; exceptions. Ct. 216, 20 Je
- 3045 Incorporated towns and cities authorized to keep streets and alleys clean, at expense of general fund or by tax on abutting property. Ind. 35, 17 F
- 3046 Expense of removing snow and rubbish from streets in villages of 3000 *a lien on real estate, to be assessed as taxes*. Amending '91, 146. Minn. 260, 18 Ap
- 3047 All cities under 50,000 [formerly 15,000 to 50,000] may sprinkle streets. Amending '97, 50. Minn. 280, 18 Ap
- 3048 Cities of 2500 may levy tax for sprinkling. Okl. 8 art.3, 9 Mr
- 3049 Cities of less than 100,000 may levy special taxes on abutting property for sprinkling and cleaning streets. Amending '80 ch.247 art.5. Pa. 119, 2 My
- 3050 Cities of over 36,000 may sprinkle streets. Amending '83, 114. Tenn. 4, 2 Mr
- 3051 Village trustees on petition may sprinkle not less than 20 [formerly 40] rods of street. Amending R.S.'98 §925d. Wis. 284, 28 Ap



**3052 Miscellaneous.** Contractors on street work to give bond to secure laborers and material men. Amending '85, 153.

Cal. 22, 21 F

**3053** Slightly amending P.S. ch.49 §99 relative to securing materials by cities and towns for improvement of streets and roads.

Mass. 85, 16 F

**3054** Cost of shade trees in cities of 50,000 may be assessed on abutting property on petition of majority of owners. Minn. 171, 11 Ap

**3055** Park commissioners may take charge of grass plots on streets of cities of 50,000 and assess costs on abutting property on petition of majority of owners. Minn. 173, 11 Ap

#### Sidewalks

**3056** Revision of law as to village sidewalks. Minn. 49, 9 Mr

**3057** Minor amendments to R.S.'98 §925 subdiv.204-5 relating to sidewalks. Wis. 173, 13 Ap

**3058** Act relating to sidewalks ('85, 155) applies to cities over 300 [formerly 1500]. Wash. 68, 13 Mr

**3059 Construction. Repair.** Before adoption of ordinance for construction or repair of sidewalk, notice must be given in newspaper and hearing must be given to all interested persons. Amending '84, 217. N. J. 8, 7 Mr

**3060** Width of sidewalks to be fixed by councils of cities; restriction. N. J. 67, 21 Mr

**3061** Cities, towns and villages of 2000 may build, or order owners to build sidewalks; notice; tax bill. N. M. 54, 16 Mr

**3062** Amending power of cities of less than 2000 to alter and repair sidewalks ('90 ch.37 art.18 §1). S. D. 132, 6 Mr

**3063** Sidewalk repairs to be maintained by city if common council so orders. Amending R.S.'98 §925 subdiv.205a. Wis. 20, 17 Mr

**3064 Cleaning.** Removal of snow or ice from sidewalks may be required by towns. Amending G.L.'88 §134. Ct. 136, 31 My

**3065** Councils of cities of 50,000 may compel removal of snow from sidewalks; costs to be collected as taxes. Minn. 201, 13 Ap

**3066** Municipalities may require owners or tenants of property to remove snow, ice, grass etc. from sidewalks and gutters.

N. J. 90, 22 Mr

#### Sewerage. (See also Drains 4446)

**3067 Construction.** State sewerage commission created to prevent pollution of water; sewerage districts; powers; bonds; commissioners to adjust disagreements; secretary of board.

N. J. 210, 24 Mr

**3068** Assessments in improvement districts may be spent on sewer system extending beyond city or district limits. Amending Digest '94 §5331. Ark. 94, 4 Ap

- 3069 Sewer districts adjacent to municipalities to be established by county supervisors on petition of one third of electors, unless owners of majority of property protest. Cal. 66, 8 Mr
- 3070 Any city of not exceeding 100,000 may construct and maintain outlet sewers, reservoirs etc. in unimproved parts of its territory, or in land beyond its territory, the cost to be defrayed by special assessment or by special taxation. Ill. p.96, 24 Ap
- 3071 Repealing '93 p.101 authorizing cities of 2000 to 30,000 under special charters and certain other cities to provide sewers and drains. Mo. p.100, 2 Je
- 3072 Two or more municipalities may jointly construct outlet sewers; regulations. N. J. 36, 15 Mr
- 3073 Minor amendment to '90 §47, 131 relating to drainage and sewerage of cities. N. J. 39, 16 Mr
- 3074 Increasing the power of cities to acquire lands for sewers and drains. Amending '82, 50. N. J. 94, 22 Mr
- 3075 General act authorizing cities to establish systems of sewerage. N. D. 41, 1 Mr
- 3076 Cities need not be divided into sewerage districts before constructing sewer. Amending Ann.S.'99 §1428. S. D. 128, 6 Mr
- 3077 Cities under 20,000 may construct sewers either by entire city or by assessment districts. Wash. 126, 14 Mr
- 3078 Bonds. To pay for relaying or repairing sewers or for preparing lands used in disposing of sewerage, city council may by ordinance issue bonds or notes. Amending '90, 131. N. J. 33, 15 Mr
- 3079 Assessments. In cities of 100,000 board of public works may reduce sewer assessment of corner lot already assessed for sewer on one frontage. Amending '93 ch.58 §9. Ind. 246, 6 Mr
- 3080 Miscellaneous. Cities and towns may appropriate to connect estates with sewers; expense of all connections to be assessed. Mass. 319, 29 Ap
- 3081 Generally amending '76, 203 relating to drainage of meadow and swamp lands by cities. N. J. 50, 20 Mr
- 3082 Cities of less than 12,000 governed by '97, 30 may purchase private sewers for public use; cost not to exceed \$60,000; commissioners. N. J. 84, 22 Mr
- 3083 Course of sewer under construction may be changed when it may endanger important structures; consent along new route; contractor; assessments. N. J. 122, 23 Mr
- 3084 Borough or city may alter or change the channel of any waterway not navigable; viewwers; damages and benefits; appeal. Pa. 68, 28 Ap

- 3085** Sewerage companies may condemn private property, but not in cities and towns unless permitted by city or town.

Tex. 154, 27 My

**Special assessments.** (*See also* special purposes of assessment—Streets, Sidewalks, Sewers)

- 3086** General. City council may provide that special assessments may be paid in instalments; cities of 2000 may appoint commission to negotiate for sale of city bonds. Amending '97, 57.

Ari. 54, 16 Mr

- 3087** In cities, towns and villages of less than 50,000 [formerly 25,000] no local improvement to be paid by special assessment shall be adopted except on petition of owners of one half the property along line of improvement; but in cities, towns and villages of not exceeding 10,000 the petition shall come from a majority of resident property owners affected by improvement. Amending '97 p.102.

Ill. p.95, 19 Ap

- 3088** Interest on street improvement bonds 5% [formerly 6%]; owners [formerly whose assessments exceed \$50] signing waiver of objections to irregularities may pay in 10 instalments. Amending '91 ch.118.

Ind. 45, 17 F

- 3089** No assessment for street improvements in towns under 12,000 if two thirds of resident lot owners object before contract advertised.

Ind. 182, 4 Mr

- 3090** Village street improvements may be made on petition of *three quarters* [formerly one half] of owners; *assessment may be payable in five instalments*. Amending '85 ch.145 §30.

Minn. 90, 22 Mr

- 3091** Councils of cities under 25,000 may order improvements and assess costs without farther order or proceedings, on petition of owners of three quarters of abutting property. Supplementing '95, 235.

Minn. 128, 3 Ap

- 3092** Streets may be ordered paved and sidewalks laid by cities of 12,000 to 100,000 without first requiring property owners to do the work at their expense.

N. J. 184, 24 Mr

- 3093** Regulating the assessment and collection of taxes for artesian wells. S. D. Ann.S. §2768, '99. *Partly void*. Subdiv.3 providing for a direct artesian well assessment on lands by townships and counties, adjusted with reference to the relative distance of such lands from the well violates constitutional provisions requiring taxes to be imposed according to value of property and limiting to cities, villages and towns local improvements by special taxation. *Turner v. Hand county*, 77 N. W. 589.

- 3094 Cities over 20,000 may exercise by special or general ordinance their authority to assess property for local improvements; payment in one or several instalments; assessment a lien paramount to all but prior assessments and taxes; superior court may review; warrants may be accepted in payment.  
Wash. 146, 18 Mr
- 3095 **Assessment.** Cost of improvements in cities shall be assessed by board of three appointed by city council; appeal to council; all assessments [formerly over 1% of valuation] payable in instalments. Amending Digest '94 §5333-36. Ark. 183, 8 My
- 3096 Notice to be given of time and place for hearing on municipal assessments. Ct. 182, 14 Je
- 3097 Apportionment of cost of street intersections in cities of 100,000. Amending '97, 55. Ind. 247, 6 Mr
- 3098 Illegal assessments and taxes for local improvement in cities of 15,000 may be relieved; council may appoint appraisers to apportion assessments. Kan. 251, 4 Mr
- 3099 When any member of a board having charge of assessment for public improvement is interested in that improvement, mayor shall appoint disinterested citizen to act in making assessment. N. J. 9, 8 Mr
- 3100 If objections are made to assessments for local improvement in cities of 100,000, court may refer same to new commissioners. N. J. 32, 15 Mr
- 3101 Assessments for street improvements to be made by special committee of three citizens appointed by council; when court declares assessment void, council to order reassessment immediately. Amending '97, 41. N. D. 42, 1 Mr
- 3102 **Collection.** Powers of cities as to delinquent taxes for local improvements amended ('97, 57). Ari. 66, 16 Mr
- 3103 Special assessments for local improvements may be paid in instalments bearing 4% [formerly not over 6%] interest in cities of not exceeding 100,000. Amending '97 p.102. Ill. p.93, 21 Ap
- 3104 Street improvement assessment not collectable unless reasonable inquiry made for owner; owner's receipt for registered letter presumptive evidence of service; attorney's fee not to exceed assessment; owner may recover 10 times amount of illegal fees, without exemption. Ind. 66, 22 F
- 3105 Municipal corporations may levy special assessments for local improvements; tax is a lien on the lots or lands; owner is personally liable. Ia. Code. §348, '83. *Partly void.* In so far as it makes a nonresident lot owner personally liable for such assessment it amounts to a taking of property without due process of law. Dewey v. Des Moines, 173 U. S. 193.

- 3106 Amending payment of assessments for street improvements in cities of 3000 to 30,000 ('93 p.65 §108). Mo. p.84, 9 Mr
- 3107 City council to fix rate of interest on unpaid assessments for certain street improvements; not less than 5% nor more than 8%. Amending '90, 58. N. J. 25, 13 Mr
- 3108 Amending '96, 184 as to collection of assessments for street improvements. N. J. 151, 24 Mr
- 3109 Assessments for special benefits may be paid in instalments. N. J. 167, 24 Mr
- 3110 Municipal corporations may accept their own local improvement warrants in payment of assessment for such improvement or in satisfaction of judgment against delinquent property owner or in payment of certificate of purchase where delinquent property has been sold to pay such improvement assessment. Wash. 97, 13 Mr
- 3111 Bonds. (Assessment and other improvement bonds) Generally amending '93, 21 relating to street improvement bonds. Cal. 42, 2 Mr
- 3112 Amending '79, 175 relating to bonds for street improvements in townships and villages. N. J. 34, 15 Mr
- 3113 Villages may issue improvement bonds to run for not exceeding 20 [formerly 10] years. Amending '91 ch.22. §61. N. J. 57, 21 Mr
- 3114 Amending amount of bonds which may be issued for street improvements in cities; bonds may run 20 [formerly 10] years ('98 ch.200 §1, 2, 11). N. J. 131, 23 Mr
- 3115 Improvement bonds to be issued in amounts of not less than \$100 [formerly \$500] each, payable in New York, *Chicago* or in city issuing, in *not less than 10* nor more than 20 years, *unless otherwise prescribed by statute*; not be sold at less than *face value* [formerly not less than 95% of face value]. Amending R.O.'95 §2309. N. D. 40, 8 Mr
- 3116 Authorizing cities to issue local improvement bonds. Wash. 124, 14 Mr
- 3117 City improvement bonds may be *annual or semiannual interest coupon or registered bonds without coupons as council may direct* Amending R.S.'98 §925 subdiv.193. Wis. 132, 8 Ap

### Parks. Boulevards

(See also State parks, 2730)

- 3118 Establishment. Support. Cities of not over 5000 may acquire land for parks. Ill. p.100, 24 Ap

- 3119 Increasing the power of park commissioners in special park districts; regulating annexation of territory contiguous to park district; other amendments to '95 p.271. Ill. p.329, 22 Ap
- 3120 Authorizing parks in cities of 32,000 to 42,000; commissioners; land in benefit districts may be taken at appraised valuation and paid for by special assessment; city may take lands lying in or outside city limits; appeal; bonds. Kan. 83, 28 F
- 3121 Park commissioners to hold office *till successors are appointed and qualified*. Amending '90, 840. Mass. 253, 10 Ap
- 3122 Cities of 50,000 may spend not over \$50,000 a year for land for parks, containing over 15 acres. Minn. 279, 18 Ap
- 3123 Cities of 25,000 or less may take land within limits or within 1 [formerly 5] mile of limits for parks and may borrow \$10,000 [formerly \$15,000] for this purpose after vote. Repealing C.S.'97 §1495-96. Neb. 15, 1 Ap
- 3124 Amending '95 ch.91 §2, 11 relating to parks of counties of over 200,000. N. J. 51, 20Mr
- 3125 Providing for park commissioners and acquisition of park land in cities of 3000. Or. p.67, 17 F
- 3126 Taxing districts may acquire land for parks. Tenn. 142, 31 Mr
- 3127 Creating park commissioners in cities of 75,000. Tenn. 404, 22 Ap
- 3128 Cities of 300 to 1500 may purchase parks when authorized by two-thirds majority. Wash. 103, 13 Mr
- 3129 Authorizing organization of corporations to create and maintain parks except in cities of first class. Wis. 55, 24 Mr
- 3130 Cities under 40,000 may be divided into park districts; tax of 1 mill authorized. Wis. 181, 14 Ap
- 3131 **Miscellaneous regulations.** Police of cities of 30,000 to 100,000 may enforce ordinances in parks outside city limits. Mo. p.83, 19 My
- 3132 Department of public works in cities of 100,000 to 1,000,000 may employ patrolmen for service in parks. Pa. 7, 17 Mr
- 3133 Owners of lands used for public parks may make certain rules to govern use of roads through such lands. Pa. 41, 11 Ap
- 3134 **Boulevards and driveways.** Vacancies in office of boulevard commissioner of county to be filled by governor. Amending '98, 106. N. J. 68, 21 Mr
- 3135 Width of boulevards to be laid out by boulevard corporations amended ('95, 271). Pa. 65, 28 Ap
- 3136 Property abutting on boulevard with parked inclosure liable for street improvements, up to \$3 a square yard, in first class cities. Wis. 199, 18 Ap
- 3137 Regulating boulevard improvements in cities of 150,000. Wis. 246, 26 Ap

### Cemeteries

- 3138 Public cemeteries.** Cities and towns under 200,000 may acquire cemetery property. Cal. 21, 21 F
- 3139 Townships may establish cemeteries on majority vote of electors.** Minn. 264, 18 Ap
- 3140 Cemetery associations.** Cemetery stockholder failing to pay assessment forfeits all rights except to keep in repair and protect graves on his lot prior to forfeiture. Amending C.L. 8387. Mich. 218, 1 Je
- 3141 Owners allowed one vote for each \$10 [formerly \$100] of rural cemetery association scrip.** Amending C.L. \$8402. Mich. 126, 15 Je
- 3142 Regulating management of cemeteries; board of trustees; election.** N. J. 140, 24 Mr
- 3143 Cemetery corporations may buy 200 acres a mile and a half from town over 15,000.** Amending '95, 131. Tenn. 277, 24 Ap
- 3144 Cemetery associations may be incorporated; powers defined; penalty for injuring cemetery property \$5 to \$500 and one to 30 days.** Wash. 33, 6 Mr
- 3145 Cemetery funds.** Burial lots may be conveyed to cemetery company to be held in perpetual trust. Ill. p.85, 25 Ap
- 3146 Village cemetery trustees may receive in trust gifts and bequests to be invested, unless otherwise expressed, in United States, state or municipal bonds.** Amending '95, 3. Mich. 223, 7 Je
- 3147 City or town holding trust funds for care of cemetery or lot may turn them into city or town treasury; income at rate of 3½% to be expended.** N. H. 40, 8 Mr
- 3148 Removal of bodies.** Amending R.S.'89 §3842, 3844 relating to grave robbery. Mo. p.169, 29
- 3149 Grave robbing a felony.** Tenn. 34, 27 Mr
- 3150 Amending '95, 361 relating to removal of bodies from burial ground.** N. J. 97, 22 Mr
- 3151 Consent of local authorities for disinterment and removal of dead bodies.** Amending Vt.S. §5004. Vt. 116, 29 N '98
- 3152 Crematories.** Rural cemetery associations may erect crematories and columbariums; surplus funds may be invested as those of general corporations; unknown or pauper dead may be cremated. Cal. 40, 1 Mr
- 3153 Miscellaneous.** Minor amendment to G.L.'88 §1878 relating to neglected cemeteries. Ct. 57, 19 Ap
- 3154 Railroad not to be located on cemetery; perpetual injunction; penalty.** Ind. 14, 7 F

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- 3155 Regulating number of cemeteries in townships. Amending '94, 85. N. J. 72, 22 Mr
- 3156 Lands sold by church for burial purposes may, on certain conditions, be sold freed from restriction as to use. N. J. 98, 22 Mr
- 3157 Desecration and destruction of graves and graveyards a misdemeanor. S. C. 69, 15 F
- 3158 Cemetery not to be located on stream or water-shed supplying water to cities of 36,000 within 10 miles from limits. Tenn. 298, 25 Mr
- 3159 Recording of cemetery lot deeds in office of town clerk. Amending Vt.S. §3595. Vt. 67, 15 N '98

Roads and bridges

(See also Grade crossings, 3953)

General systems and administration. Officers.

- 3160 General laws. In counties adopting road and bridge law, '97 (extra) ch.6, road overseer to be elected in every township; all males 21 to 45 subject to road work; may, in addition to required labor, work out road tax at 75c a day. Ark. 33, 2 Mr
- 3161 Powers and duties of boards of county commissioners and highway officers over highways amended; contracts may be let for repair and improvement of roads; road tax of from 1 to 3 mills to be levied and paid in work by owner of property. '91 p.190; '93 p.184 reenacted to correct illegality in passage. Id. p.127, 7 F
- 3162 Generally amending R.S.'89 ch.140 art.1; '91 p.199, 200, 202; '93 p.224; '95, 251, relating to roads and highways; counties divided into road districts; county court to appoint road commissioners for each district. Mo. p.337, 9 My
- 3163 Revision of laws as to laying out and working public roads. Tenn. 368, 22 Ap
- 3164 Road officers. Road commissioners to be paid \$12 annually from general county revenue fund. Amending '95, 17. Fla. 110, 22 My
- 3165 Each road district to elect an overseer annually. '97 p.78 reenacted to correct illegality in passage. Id. p.306, 18 F
- 3166 Amending duties of township road commissioners (R.S.'89 §7882). Mo. p.342, 2 Je; 343, 31 My
- 3167 Office of township road overseer abolished. Amending R.S.'89. §8441. Mo. p.363, 2 Je; p.363, 29 My; p.364, 31 My; p.365, 24 My
- 3168 Each township to elect annually two surveyors of highways; exception; term. N. J. 171, 24 Mr



- 3169 Compensation of overseers slightly amended ('90 ch.568 §24).  
N. Y. 78, 14 Mr
- 3170 Road supervisors in counties not organized into civil townships to make annual report to county commissioners.  
S. D. 127, 6 Mr
- 3171 Road supervisor to be elected in each county *annually* [formerly biennially].  
Wash. 28, 6 Mr
- 3172 State road system and state aid. Commission appointed to investigate question of good roads and report with bill at next session of legislature.  
Pa. c. r. 27, 4 My
- 3173 Office of state highway commissioner created; to supervise expenditure of state road tax by town; meetings of town commissioners to be held; state commissioner may provide experts to give instruction.  
Vt. 65, 1 D '98
- 3174 Repealing G.L. ch.73 granting state aid to towns in road making; office of state commissioner of highways abolished.  
R. I. 700, 1 Je
- 3175 State wagon road to be built from Pueblo to Leadville by convict labor.  
Col. 63, 22 Ap
- 3176 State wagon road to be built from Denver to Grand Junction; convict labor may be used.  
Col. 77, 3 My
- 3177 State bonds to be issued to construct system of wagon roads in certain counties. '93 p.23, 169 reenacted to correct illegality in passage.  
Id. p.173, 10 F
- 3178 Massachusetts highway commission may spend \$500,000; only citizens to be employed; 30 year loan authorized.  
Mass. 396, 24 My
- 3179 Referring to next legislature amendment to constitution authorizing state taxation to improve highways.  
Wis. j. r. 1
- 3180 County roads. General law. 13p.  
Ark. 200, 8 My
- 3181 County commissioners may improve roads, levy 4 mill tax, work convicts, elect road superintendent.  
Fla. 106, 3 Je
- 3182 Unlawful for county commissioners to issue bonds for making roads in excess of 4% of assessed valuation of property in township; act does not apply where election has been ordered or held.  
Ind. 24, 7 F; 52, 21 F
- 3183 County commissioners to be turnpike directors; county divided into three road systems, each in charge of a commissioner; right to enter land and take road material.  
Ind. 176, 3 Mr
- 3184 Commissioners of counties over 200,000 to control expenditure of general road and bridge funds.  
Minn. 53, 11 Mr
- 3185 For better working of public roads; superintendent of roads; convict labor; tax; certain counties exempted; certain others may adopt this act by vote of commissioners.  
N. C. 581, 7 Mr

- 3186 Road districts. Each incorporated city, *town or village* to be a separate road district. Amending R.S.'87 §887. '95 p.132 reenacted to correct illegality in passage. Id. p.270, 16 F
- 3187 Road districts may be altered by county commissioners on petition of 20 [formerly 50] voters; incorporated cities, towns and villages in counties not under township organization may by ordinance elect to be included in road district. Amending '91 p.193; '93 p.175. Ill. p.337, 24 Ap
- 3188 Revision of road supervisor law; term *two* [formerly four] years; able-bodied men required to work two to four days in April; May, June, *July, August, September or October*; *two* [formerly three] credits for team work. Ind. 175, 3 Mr
- 3189 Amending duties of boards of road commissioners of special districts ('95 p.253). Mo. p.345, 9 My
- 3190 County commissioners to divide their counties into road districts; road supervisor to be elected in each; regulations; duties. Repealing '97 p.71. Mon. p.65, 3 Mr
- 3191 Division of counties of less than 50,000 into road districts amended; road supervisors in such districts to be *elected* [formerly appointed by county court]. Amending Ann.L.'87 §4081-82. Or. p. 65, 17 F
- 3192 Town roads. Highway commissioner to hold office for *four* [formerly two] years; general revision of '97, 229 fixing his duties. Ct. 175, 14 Je
- 3193 Highways in use at time village is incorporated are township highways. Amending C.L. §2775. Mich. 223, 7 Je
- 3194 Repealing '95, 48, permitting county commissioners to appropriate for town roads. Minn. 192, 13 Ap
- 3195 Board of supervisors may investigate affairs of commissioners appointed for constructing highways and bridges on highways running through two or more towns. N. Y. 285, 8 Ap
- 3196 Improved roads. Counties may issue bonds for hard surfaced highways. Fla. 50, 11 My
- 3197 Unexpended balance of fund for gravel road to be paid to township, city or town trustees. Amending '97 ch.175. Ind. 86, 24 F
- 3198 Revision of '95 ch.63 providing for free improved roads. Ind. 109, 28 F
- 3199 Construction of free gravel or macadamized roads on county boundary line. Ind. 206, 6 Mr
- 3200 Councils of cities under 10,000 may improve roads and bridges outside city lines. Minn. 110, 3 Ap

- 3201 Question of building permanent hard road to be submitted to electors of township on petition of 15 owners; bonds may be issued. Minn. 227, 14 Ap
- 3202 Roads in town or village to be improved on petition of owners of two thirds of abutting land, if they are willing to pay 10% of cost; state and town or village to pay the remainder. Amending '95, 233. N. J. 44, 17 Mr
- 3203 County road and lighting plant connected with it to be kept in repair; chosen freeholders may make appropriation or issue bonds. Amending '88, 274. N. J. 112, 23 Mr
- 3204 County road lying partly within a municipality may be improved; procedure. N. J. 179, 24 Mr
- 3205 Before apportioning assessment for improvement of highways in towns, 10 days notice is to be given and owners are to have opportunity to be heard. Amending '98 ch.115 §10. N. Y. 92, 16 Mr
- 3206 County courts to have power to plank and corduroy roads. Amending '93 'p.185. Or. 59, 17 F
- 3207 *If clerk of county commissioners approves bond for costs, petition for road improvements shall be laid before board; county surveyor shall be engineer and shall superintend work.* Amending '93, 123. Wash. 104, 13 Mr
- 3208 County court may improve county roads by use of asphaltum, brick, stone or other process; if bonds are issued, must be submitted to vote on petition of 50 electors; court may employ three road commissioners, one being civil engineer, to superintend; school funds may be loaned to improve roads. Amending Code '91 ch.43 §26. W. Va. 7, 20 F
- 3209 On petition of 50 freeholders for free macadamized road, supervisors to order survey; electors to vote on proposition. Wis. 352, 4 My

**Details of management**

- 3210 Location. Opening. Vacation. Amending the laying out and changing of roads (R.S.'93 ch.60 §4, 5). Del. 259, 1 Mr
- 3211 Fixing compensation of road jurors. Del. 260, 9 F
- 3212 Public roads may be established without viewers provided all the owners consent. '93 p.11 reenacted to correct illegality in passage. Id. p.168, 7 F
- 3213 Slightly amending '95, 11 regarding location of highways. Ind. 84, 24 F
- 3214 Highway located by highway commission not to be vacated or changed except on petition of 24 freeholders. Amending R.S.'94 §6726. Ind. 60, 22 F

- 3215 Costs of special road election to be borne by petitioners, *if it fails to carry; otherwise to be included with cost of construction.*  
Amending '95, 63. Ind. 97, 24 F
- 3216 Amending G.S. §1832 as to width of public roads and cartways.  
Minn. 152, 11 Ap
- 3217 Appeal bond in road damage awards to be approved by court [formerly county] commissioners. Amending '97 ch.199 §14.  
Minn. 153, 11 Ap
- 3218 Amending '97, 199 as to proceedings on petition to lay out, alter or vacate county road.  
Minn. 202, 13 Ap
- 3219 Supervisors on petition of owners may dedicate land for road or cartway without assessing damages. Minn. 221, 14 Ap
- 3220 Amending highway law ('90 ch.568 §89) to appeals from decision of county court confirming or modifying commissioners' decision.  
N. Y. 703, 25 My
- 3221 On petition of 50 resident taxpayers, county commissioners shall lay out and maintain public road to licensed ferry. Amending R.C.'95 §1163.  
N. D. 90, 8 Mr
- 3222 Minor amendments in procedure in opening highways, '97, 112.  
N. D. 97, 9 Mr
- 3223 Appointment and duties of viewers of roads of public easement amended (Ann.L.'87 §4075-79).  
Or. p.164, 18 F
- 3224 Viewers appointed to lay out roads to give county commissioners notice of time and place of view.  
Pa. 22, 3 Ap
- 3225 Written notice to be served on supervisors of proposed opening of new roads.  
Pa. 115, 2 My
- 3226 Owners of lands abutting on highway ordered abandoned are entitled to damages; town council to give notice of intention to abandon. Amending G.L. ch.71.  
B. I. 666, 23 My
- 3227 Amending R.S.'98 §1122-23 relating to plats of highways in county clerk's office.  
U. 78, 20 Mr
- 3228 Public highway not to be laid out through any building or fixture whose value exceeds \$75. Amending R.S.'98 §1263.  
Wis. 140, 8 Ap
- 3229 Order to open highway in towns of 8000 or over need not be submitted to electors. Amending R.S.'98 §1291.  
Wis. 257, 26 Ap
- 3230 Verbal change in R.S.'98 §187a as to filing notice in proceedings to take land for highways.  
Wis. 351, 4 My
- 3231 Roads on boundaries. Public highways to be located on section and subdivision lines where practicable. Amending Digest '94 §2824.  
Ark. 202, 8 My

- 3232 Commissioners of highways may privately let contracts for constructing roads on town lines. Amending R.S.'97 ch.121 §27.  
Ill. p.343, 24 Ap
- 3233 **Working. Contracts. Repairs.** Generally amending laws relating to repairs of highways. Me. 32, 1 Mr
- 3234 Slightly amending P.S. ch.49 §99 relative to securing materials by cities and towns for improvement of streets and roads.  
Mass. 85, 16 F
- 3235 Roadbed of highway not to be plowed up later than August 15. Amending C.L. §4171, 4174. Mich. 220, 1 Je
- 3236 Surveyor of counties of 200,000 to superintend construction of county roads and bridges. Minn. 29, 25 F
- 3237 Plowing public highway without consent of overseer of roads a misdemeanor. Neb. 58, 27 F
- 3238 Generally amending P.S.'91 ch.73 for repair of highways in towns; effective only in towns adopting it. N. H. 29, 1 Mr
- 3239 Commissioner of highways may, with consent of town board, immediately repair or rebuild damaged road or bridge, *but if expense is over \$500 work must be under written contract.* Amending '90 ch.568 §10. N. Y. 84, 14 Mr
- 3240 Townships may buy tools and machinery for making roads.  
N. D. 140, 4 Mr
- 3241 Supervisors and road commissioners to remove loose stones from main traveled highways. Pa. 112, 2 My
- 3242 Supervisors to *purchase* [formerly procure] road machinery and material *on such terms as seem proper; on petition of majority of taxpayers, town board may buy road machine.* Amending R.S.'98 §1223. Wis. 83, 30 Mr
- 3243 **Obstruction. Injury to roads.** Person running *turpentine cart or hauling other heavy loads* to keep road in average repair. Amending '98, 62. Fla. 109, 27 My
- 3244 Minor amendment to '93, 416; '89, 503, protecting roads in certain counties from damage from hauling of logs.  
N. C. 712, 8 Mr
- 3245 Amending R.S.'98 §1140 relating to liability for damages to hill-side highway by horses, cattle etc. being driven over it.  
U. 11, 3 Mr
- 3246 Minor amendments to R.S.'98 §1347b relating to damages by steam engines on public roads. Wis. 197, 18 Ap
- 3247 **Damages through defect.** Notice to city, town etc. of claim for damages from defective highways amended ('95, 172).  
Ct. 97, 11 My

State and local government

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- 3277 Fine of \$20 for driving on path. Amending '98, 351. Mass. 474, 3 Je
- 3278 Unlawful to drive vehicle or animals on sidepaths and sidewalks, or to injure same or throw glass on road; sidepath must be distinguished from road, at least 12 feet from center, not over 5 feet wide. Mich. 76, 17 My
- 3279 Misdemeanor to injure path or allow animals to obstruct; or to place anything likely to injure bicycle or wound rider on public way. Minn. 43, 6 Mr
- 3280 Unlawful to injure of obstruct sidepaths wilfully. Pa. 69, 28 Ap
- 3281 Miscellaneous regulations. Lost or uncertain boundaries of highways to be determined by selectmen; appeal. Repealing '95, 142. Ct. 115, 17 My
- 3282 Owner of land on highway applying for boundary marks must first pay costs. Amending '95 ch.286 §5. Ct. 131, 31 My
- 3283 Rubber-tired vehicles to show lights when used at night. Ct. 189, 15 Je
- 3284 Thorn hedges along roads to be trimmed each year. Del. 253, 23 F; 254, 16 Mr
- 3285 Feeding stock or camping on highways exceeding 12 hours in one township prohibited; fines to be expended on roads. Ill. p. 339, 21 Ap
- 3286 In cities and villages person shall go from four to 10 rods in advance of steam engine with plank sufficient to plank crosswalks. Amending C.L. §5543. Mich. 217, 1 Je
- 3287 Cities of 100,000 may fix fees for street parades; fees to go to sick and pension fund of police department. N. J. 126, 23 Mr
- 3288 Commissioner of highway may enter on lands adjoining highways subject to overflow and remove obstacles to free flow of water. Amending '91 ch.212 §4. N. Y. 344, 17 Ap
- 3289 All traveling on turnpike road, *public highway*, causeway or bridge to be to the right of center thereof. Amending Criminal statutes '93 §353. S. C. 73, 6 Mr

Road taxes and work

- 3290 Local taxes and funds. Counties not under township organization may levy tax of not more than 1/2% annually for 10 years, to build roads on lands subject to inundation. Ill. p.340, 24 Ap
- 3291 Cities of less than 2000 that are separate road districts shall receive from county treasurer delinquent road tax collected in city. Kan. 8, 7 Ja

- 3292 Constitutional amendment; counties may incur road and bridge debt of  $\frac{1}{2}\%$  of valuation without vote of people. *Adopted by the people April 1899.* Mich. j. r. 5
- 3293 Proceeds of liquor licenses to go to road and bridge fund in counties of 200,000. Minn. 96, 28 Mr
- 3294 Counties of under \$1,000,000 assessed valuation may levy 2 mills tax for road and bridge fund. Amending '95, 287. Minn. 211, 13 Ap
- 3295 Town lists of delinquent road taxes to be annually revised by town clerk and supervisors and uncollectable items canceled. Amending G.S. §1801. Minn. 219, 14 Ap
- 3296 License fees for dramshops in counties of less than 50,000 may be used for roads and bridges. Amending '93 p.150. Mo. p.177, 24 My
- 3297 Special road tax of  $1\frac{1}{2}$  mills to be levied on property not in cities, towns or villages; general road tax not to exceed 2 mills on all property in county [formerly such tax as may be necessary]. Amending R.S.'89 §7896. Mo. p.343, 18 My
- 3298 Duties of township trustee and ex officio treasurer amended as to road money (R.S.'89 §8464). Mo. p.364, 30 My
- 3299 Submitting constitutional amendment: special  $1\frac{1}{2}$  mill road and bridge tax may be levied by county courts or township boards except in cities of St Louis, Kansas City and St Joseph. *Vote November 1900.* Mo. p.381
- 3300 In counties not under township organization one half of the road tax collected in cities over 80,000 goes to county for general road purposes and one half to city for roadways in the system of parks and boulevards. Amending C.S.'97 §4577. Neb. 58, 3 Ap
- 3301 Appropriation for highway repair in towns to be collected as other taxes. Amending P.S.'91 ch.73. N. H. 97, 11 Mr
- 3302 Delinquent road taxes; exemptions; notice by overseer. Amending Okl.S.'93 ch.72 art.1 §19, 21; '95 ch.44 art.1, 3. Okl.' 29, 15 Mr
- 3303 Poll tax and road work. Employers to furnish road overseer with names of employees subject to road duty. Ark. 96, 5 Ap
- 3304 Citizens of towns and cities under 3000 to keep streets in repair. Fla. 111, 27 My
- 3305 Commutation road tax \$1 for each day of required work not exceeding four [formerly \$3 for entire period]; board of roads and revenues; ad valorem tax payable in material or labor; act operative on recommendation of grand jury. Amending '96 p.78. Ga. p.110, 19 D '98

- 3306 Overseers to collect road poll tax by seizure and sale of personal property if necessary. Id. p.392, 16 F
- 3307 Repealing as to cities of 20,000 G.S.'89 §555 subdiv.34 permitting cities of 15,000 to require two days labor on streets or a poll tax of \$3. Kan. 64, '93. *Unconstitutional*. Defective title; act is also amendatory in character and violates constitutional provision requiring new act to contain the section Amended. In re Ashby, 55 P. 336.
- 3308 Annual road tax of \$2 [formerly \$3] to be paid by every man under 45 years. Repealing '97 p.176 relating to road tax and and special levy of 1 to 2 mills for roads. Mon. p.69, 3 Mr
- 3309 Township boards may submit question of contract system of road work *at their discretion* [formerly on petition of majority of voters]; where contract system is adopted, road taxes to be paid in money. Amending R.C.'95 §2669.  
N. D. 141, 6 Mr
- 3310 Verbal amendment to '96 ch.109 §5 relating to overseer's notice to persons liable to road duty. S. C. 3, 28 F
- 3311 Person refusing to work on roads at time and place designated by road overseer, *by the person summoning or by the superintendent or other person authorized by commissioners' court*, shall be fined. Amending Pen.C.'95 art.491 and repealing art.492.  
Tex. 15, 2 Mr

**Toll roads**

- 3312 Turnpike companies in villages to pay for sidewalks on streets controlled by them. Amending '97 ch.414 §161.  
N. Y. 326, 17 Ap
- 3313 Turnpike companies may surrender charters and dispose of property. Tenn. 280, 22 Ap
- 3314 In counties of 30,000 toll road not over five miles long may have but one gate, at least one and one half miles from city or town. Tenn. 319, 15 Ap
- 3315 Toll gate in town or village must be moved one mile from limits on incorporation as city. Tenn. 320, 20 Ap
- 3316 All turnpike companies may have same privileges on accepting conditions as to tolls. Tenn. 369, 22 Ap
- 3317 Any person who refuses to pay fee for use of licensed toll road, bridge, etc. is guilty of misdemeanor. Amending R.S.'98 §4481.  
U. 35, 9 Mr
- 3318 All toll roads with two exceptions, shall have solid roadbed 15 feet wide, with strong bridges across all streams 50 feet wide or less and across such others as county court may direct; no tolls to be collected unless road thus constructed. Amending Code '91 ch.56 §12.  
W. Va. 29, 21 My



- 3319 Public purchase and control.** When corporation owning toll bridge, plank road, etc. is dissolved or discontinues use of bridge or road, such bridge or road becomes highway. '93 p.12 reenacted to correct illegality in passage. Id. p.168, 7 F
- 3320 Macadamized roads** constructed by corporations whose charter life has expired are to be controlled and operated by county court; court may fix and collect tolls. Mo. p.345, 5 My
- 3321 Any township or municipality** may, after vote, acquire turnpike lying within its limits; bonds. N. J. 191, 24 Mr
- 3322 Boards of supervisors** may acquire turnpikes, plank roads and bridges; certain counties excepted. N. Y. 594, 16 My
- 3323 Turnpikes or roads on boundary line** between two counties may be condemned and made free; procedure; other amendment to '87, 197. Pa. 70, 28 Ap
- 3324 County courts** may acquire toll roads, paying therefor except by bonds; surplus of receipts over repairs to be applied to purchase price. Amending '81, 118. Tenn. 196, 23 Mr
- Bridges.** (See also Railway bridges, 3901)
- 3325 County bridges.** Counties may purchase bridges from private owners. Ark. 204, 1 JI
- 3326 County may bond itself** to aid city or village in constructing free bridge over navigable stream. Amending '99 p.136 §3604. Id. p.443, 14 Mr
- 3327 County commissioners** may appropriate \$1000 for each \$500,000 of assessed valuation to *repair bridges*. Amending G.S. §1846. Minn. 192, 13 Ap
- 3328 County commissioners** may maintain all bridges 100 feet long. Minn. 330, 20 Ap
- 3329 Tunnels for roads under streams or railroads** may be constructed by boards of chosen freeholders. N. J. 80, 22 Mr
- 3330 Counties of 50,000 to 150,000** may acquire land necessary to widen approaches to bridges; commissioners to appraise; appeal; bonds. N. J. 190, 24 Mr
- 3331 County commissioners, on petition of certain number of taxpayers,** to build bridges; limit of cost. N. M. 11, 14 F
- 3332 Bridges built by township or borough, assisted by county,** may be declared county bridges by county commissioners. Pa. 76, 28 Ap
- 3333 Counties may purchase or take bridges already erected;** compensation to owners; procedure. Pa. 127, 5 My
- 3334 Bridges on boundaries.** Regulating the constructing of bridges on county or town lines. Amending R.S.'97 ch.121 §21. Ill. p. 338, 12 Ap

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- 3335 Commissioners of highways may privately let contracts for constructing bridges on town lines. Amending R.S.'97 ch.121 §27. Ill. p. 343, 24 Ap
- 3336 Amending C.S.'97 §4590 relating to joint building and repair of bridges by adjoining counties. Neb. 57, 1 Ap
- 3337 Adjoining cities may jointly construct bridge or viaduct; commissioners; bonds. N. J. 188, 24 Mr
- 3338 Amending regulations for issue of bonds to pay for bridges over waters between cities and towns or villages ('98 ch.591 §4). N. Y. 232, 4 Ap
- 3339 Town and municipal bridges. When bridge in any township [formerly place] costs over \$50, commissioner shall submit proposition to township board [formerly clerk]; *on collusion among bidders contract may be let to any person not over lowest bid.* Amending C.L. §4169. Mich. 55, 2 My
- 3340 Bridges on town roads to be paid for by town and village jointly *when inside village plat.* Amending R.S.'98 §894a. Wis. 284, 28 Ap
- 3341 Miscellaneous. Regulating the building of bridges across irrigation canals. Amending R.S.'87 §935, 968. Id. p.405, 15 Mr
- 3342 Bridges must hereafter have capacity of at least 100 pounds to square foot. Ill. p.338, 21 Ap
- 3343 Bridges and culverts to be at least 16 feet wide. Mich. 72, 10 My
- 3344 Bridge contracts to be let by public outcry or by sealed bids. Amending R.S.'89 §906. Mo. p.49, 29 Ap
- 3345 State engineer and surveyor may appoint a chief designer and inspector of bridges, and assistants, to design and inspect bridges built under his supervision. Amending '92 ch.683 art.6. N. Y. 476, 2 My
- 3346 Water companies and cities may attach pipes to bridges; fee of 5c a 100,000 gallons to bridge owners. N. D. 171, 8 Mr

## Military regulations

### Militia. National guard

#### General organization

- 3347 General laws. General law; infantry, cavalry, artillery and signal corps; officers and staff; enlistment and discharge; courts martial; exemption from poll tax; governor may order annual encampment. Ala. p.136, 23 F

- 3348** Revision of law. 14p. Fla. 23, 3 Je
- 3349** Organizing the militia of the state; enlistment; exemption; regulations. '90-91 p.217 reenacted to correct illegality in passage. Id. p.156, 7 F
- 3350** Military code (R.S.'97 ch.129; '97 p.252) revised. Ill. p.282, 24 Ap
- 3351** General law for organization and regulation of national guard. Pa. 104, 28 Ap
- 3352** Every able-bodied man of 21 to 45 years to be enrolled in militia; exemptions; to be called out for active duty only in time of war, for suppression of riots, etc.; regulations. Pa. 154, 9 My
- 3353** General act reorganizing national guard. 26p. Wis. 200, 18 Ap
- 3354** Amending regulations for government and equipment of the militia ('95, 313; '97, 222). Ct. 212, 20 Je
- 3355** Amending certain sections of G.S.'97 ch.2, 128 relating to state militia. Kan. 166, 2 Mr
- 3356** Generally amending '93, 266 as to militia. Me. 128, 17 Mr
- 3357** Generally amending military code ('97, 118). Minn. 231, 17 Ap; 238, 17 Ap
- 3358** Amending '93, 374 for regulation of state militia. N. C. 390, 4 Mr
- 3359** Details of organization. Providing for return to national guard of organizations and men mustered out of United States service; continuous service granted. Cal. 127, 21 Mr
- 3360** Attorney general may order new militia enrolment list to be made for any town. Ct. 101, 11 My
- 3361** Exempting from military duty those who served in army or navy of United States [formerly during late rebellion]. Amending '97, 222. Ct. 123, 19 My
- 3362** All able-bodied [formerly white] male citizens 18 to 45 are subject to military duty unless exempt. Amending C.L. §1575. Mich. 28, 30 Mr
- 3363** In time of peace national guard to consist of one battalion of not more than five companies; battalion and company organization; qualifications of members. Repealing parts of '93 ch.90; '95 ch.106; '97 ch.51. Nev. 26, 6 Mr
- 3364** Battalions of infantry not connected with a regiment to have two [formerly one] assistant surgeons. Amending '98 ch.212 §26. N. Y. 508, 3 My
- 3365** Regiment of state militia to consist of not over 12 [formerly 10] companies, organized in battalions of not over four companies; three [formerly one] majors; commissary sergeant; two [formerly one] assistant surgeons; battalion adjutant for each battalion. Amending R.S.'95 art.3433. Tex. 161, 5 Je

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- 3366 **Naval militia.** Generally amending regulations for organization of naval battalion of national guard. Repealing '97, 240; '95, 314. Ct. 211, 20 Je
- 3367 Establishing naval reserve as part of national guard. Me. 46, 8 Mr
- 3368 Establishing naval reserve of eight companies. Minn. 355, 21 Ap
- 3369 Amending '93, 399 for the establishment of a naval battalion of state guard. N. C. 442, 6 Mr

### **Officers**

- 3370 Amending staff of commander in chief and brigadier general of militia and duties of state military board ('95 p.127). Or. p.107, 17 F
- 3371 **Staff officers.** Rank of aids-de-camp on governor's staff amended ('98 ch.212 §7). N. Y. 507, 3 My
- 3372 *Four to eight* [formerly four] aids-de-camp to be on staff of commander in chief. Amending '95 ch.59 §12. N. H. 1, 17 Ja
- 3373 **Miscellaneous.** Repealing '90 j. r. 2 authorizing governor to place certain officers on retired list. N. J. 64, 21 Mr
- 3374 Commissioned militia officers in service July 1, 1897, having served in civil war, may retire with next higher rank. Mass. 302, 25 Ap
- 3375 General act relating to examining boards for militia officers. Repealing '98 ch.367 §53. Mass. 381, 22 My

### **Miscellaneous**

- 3376 **Salaries. Support.** Extending to cities of 100,000 to 600,000 privilege of appropriating for support of national guard granted to cities of 1,000,000 by '87, 123 Pa. 38, 11 Ap
- 3377 Annual allowance of \$300 to chief musician of each regimental band for services; \$100 to each troop commander to provide mounts, not less than five mounted drills to be had annually. Amending R.C.'95 §1419. N. D. 112, 6 Mr
- 3378 Each company allowed \$600 [formerly \$500] for armory rent, payable to captain; adjutant general allowed \$250 [formerly \$100] for care of stores. Amending '97, 76. Wy. 31, 16 F
- 3379 **Additional pay for volunteers in Spanish war.** \$250,000 appropriated to pay Illinois volunteers in Spanish war the difference between the amount paid by United States and that allowed by law for active service in state militia. Ill. p.33, 18 Ap
- 3380 State pay for soldiers mustered in United States service between Feb. 14, 1898, and Jan. 1, 1899. Amended '98, 561. Mass. 471, 3 Je

- 3381 State to pay its volunteers \$7 a month for services in Spanish war. N. H. 143, 11 Mr
- 3382 Providing additional pay for New Jersey volunteers in Spanish war. N. J. 75, 22 Mr
- 3383 State employees who served in Spanish war to be paid their salary for time of service. N. Y. 654, 25 My
- 3384 **Armories. Encampment.** County commissioners to provide armories for national guard, *subject to approval of adjutant general*; expense not to exceed \$40 [formerly \$50] a month. Amending '97 ch.51. Nev. 17, 28 F
- 3385 State military board may pay rent of armories. Mich. 6, 16 F
- 3386 Armories may be used for other than military purposes on occasions of state or national importance on approval of officers of national guard and under certain restrictions. Amending '98 ch.212 §143. N. Y. 240, 5 Ap
- 3387 All encampments to be at state camp of instruction. Cal. 112, 20 Mr
- 3388 Establishing camp of instruction for national guard. Cal. 55, 4 Mr
- 3389 Annual encampment to be held *at state encampment ground, Rock Island* [formerly wherever commander in chief should order]. Amending R.C.'95 §1391. N. D. 111, 8 Mr
- 3390 Providing for annual encampment. Okl. 19, 10 Mr
- 3391 **Traveling libraries.** Adjutant general may purchase traveling library textbooks for each infantry regiment; not to exceed \$50 annually for each regiment. Wis. 200, 18 Ap
- 3392 **Military schools.** Annual inspection of St Albans academy by governor authorized; graduates eligible to appointment as second brevet lieutenants in national guard. Ill. j.r. p.384, 16 F
- 3393 Norwich university recognized as the military college of the state. Vt. 32, 29 N '99
- 3394 **Flag. Coat of arms.** Unlawful to deface national flag or use for advertising. Ari. 31, 11 Mr; Cal. 43, 2 Mr; Ct. 56, 19 Ap; Ill. p.234, 22 Ap
- 3395 Unlawful to deface United States or state flag or use for advertising. Me. 132, 17 Mr; Mass. 254, 10 Ap  
Minn. 163, 11 Ap; N. H. 66, 10 Mr; N. Y. 12, 22 F
- 3396 Forbidding use of United States flag or coat of arms on merchandise or in advertisements. Vt. 122, 16 N '98
- 3397 **Independent organizations.** Certain independent military organizations may drill or parade with arms only by consent of governor, and must carry United States flag. Amending '97 p.252. Ill. p.281, 24 Ap

Veterans. War memorials

Pensions. Relief

- 3398 Judges or county officers not to charge fee to soldiers in pension matters. '95 p.36 *resnacted to correct illegality in passage.*  
Id. p.242, 14 F
- 3399 County clerk and clerk of county court to administer oaths in pension matters and to certify pension vouchers without compensation.  
Or. p.62, 17 F
- 3400 State pensions and aid. Pensioning confederate soldiers and sailors; state board of examiners and examiners for each county to be appointed by governor for six years; regulations; maximum pension \$5 a month; special tax of 1 mill levied to carry out provisions of act.  
Ala. p.226, 10 F
- 3401 Pension for confederate soldiers disabled by wound, *age or disease; inmate of Confederate soldiers' home entitled to 30 days furlough and \$10 cash annually.* Amending Digest '94 §5578.  
Ark. 154, 8 My
- 3402 Revision of law as to pensions.  
Fla. 9, 2 Je
- 3403 Pension for indigent disabled soldiers of Spanish war. Amending '95, 123.  
Me. 10, 15 F
- 3404 General act relating to military aid. Repealing '94, 279.  
Mass. 372, 18 My
- 3405 General act relating to state aid to soldiers and sailors. Repealing '94, 301 and parts of '98, 561.  
Mass. 374, 18 My
- 3406 Repealing '85, 23 in aid of indigent veterans of Mexican and civil wars.  
Nev. 100, 16 Mr
- 3407 Pensioning confederate soldiers who have become blind since the war.  
N. C. 619, 7 Mr
- 3408 Reducing pensions to disabled soldiers of civil war. Amending '91, 64.  
Tenn. 425, 22 Ap
- 3409 Pension of \$8 a month to disabled and indigent confederate soldier or sailor, native of state or who came prior to 1880, either over 60 years old or disabled as result of three months actual service; to indigent widows not remarried, residents since Mar. 1, 1880, and married prior to Mar. 1, 1886.  
Tex. 107, 12 My
- 3410 Local relief. Establishing county boards for relief of needy soldiers of Spanish war, consisting of prosecuting attorney, probate judge, county clerk and treasurer; soldiers' aid fund of ¼ mill.  
Mich. 12, 7 Mr; 134, 21 Je
- 3411 Extending soldiers' relief act (C.L. §2067-73) to soldiers of Spanish war and female nurses of rebellion.  
Mich. 214, 1 Je

- 3412 Soldier, or sailor of *United States* [formerly of Mexican and civil wars] not to be sent to almshouse except on approval of G. A. R. post; amending manner of relief. '96 ch.225 §80.  
N. Y. 83, 14 Mr
- 3413 *Memorial or executive committee* of G. A. R. post may relieve soldiers and be reimbursed by city, county or borough. Amending '98 ch.337 §81.  
N. Y. 462, 27 Ap
- 3414 County commissioners of any county [formerly of 30,000] may allow \$500 salary to secretary of soldiers' relief commission. Amending R.S.'98 §1529f. Wis. 135, 8 Ap
- 3415 Cost of relief furnished soldiers shall be valid claim against their property; statute of limitations not pleadable. Wis. 136, 8 Ap
- 3416 Names of indigent soldiers to be reported by *ward supervisors* [formerly city council]. Amending R.S.'98 §1529c.  
Wis. 231, 20 Ap
- 3417 **Burial expenses.** Amending G.L.'88 §3768 relating to erection of gravestones at graves of soldiers and sailors of civil war.  
Ct. 166, 9 Je
- 3418 Providing for burial at state expense of soldiers and sailors of United States in civil or *Spanish* war. Amending '97, 139.  
Ct. 179, 14 Je
- 3419 Indigent soldier or sailor of civil or *Spanish* war, or *his wife or widow*, to be buried by township trustees. Amending '89 ch.78.  
Ind. 172, 3 Mr; 178, 4 Mr
- 3420 State to pay burial expenses of destitute soldier of *Spanish* war. Amending '87, 33.  
Me. 16, 21 F
- 3421 Soldier buried at public expense not thereby constituted a pauper. Amending '87, 33.  
Me. 125, 17 Mr
- 3422 Extending law ('85, 170) as to burial of indigent soldiers and sailors to those of *Spanish* war. Mich. 242, 15 Je
- 3423 Extending law (G.S. §8042) as to burial at public expense to soldiers of *Spanish* war and to all dying in United States service and brought into state for burial. Minn. 177, 14 Ap
- 3424 County commissioners to pay burial expenses of indigent soldiers of civil, Mexican or *Indian wars in Oregon and Washington*, or of *their wives or widows*. Amending G.S.'91 §1295.  
Wash. 99, 13 Mr
- 3425 Providing for burial of soldiers of *Spanish* war.  
Wash. 108, 13 Mr
- 3426 **Preference of veterans.** Indigent confederate or United States soldiers drawing not over \$8 pension a month and blind persons may peddle or give public lecture or entertainment without paying license.  
Ark. 185, 8 My

- 3427 Confederate soldier may peddle without license when he has property under \$500 and stock in trade not over \$200 in value.

Fla. 6, 2 Je

- 3428 Running billiard table, dealing in futures, peddling stoves or clocks, pawnbrokerage, auctioneering and dealing in lightning rods are excluded from business which disabled confederate soldiers may conduct without license. Amending Code '95 §1642. Ga. p.46, 20 D '98

- 3429 No peddling license fees to be collected by state, county, city or town authorities from discharged soldiers of civil or Spanish war. Amending '95 ch.121. Ind. 42, 17 F

- 3430 Hawkers' and peddlers' license fees not required of soldiers or sailors of civil or Spanish war. Amending '97, 76.

N. H. 37, 7 Mr

- 3431 Soldier or sailor, a veteran of civil war, may obtain without cost a license to peddle and sell by auction. N. Y. 659, 25 My

- 3432 Amending G.L. ch.162 §15 relating to issuing of peddlers' license to certain soldiers and sailors. R. I. 622, 3 Mr

- 3433 Exempting from payment of poll tax those who served in army or navy of United States [formerly those who served in late rebellion three months]. Amending G.L.'88 §3819.

Ct. 73, 11 My

- 3434 Soldiers of civil and Spanish wars to be preferred for public employment. Amending '97, 205. Mich. 85, 25 My

- 3435 Veterans to be preferred in state and municipal appointments and work; not to be removed without hearing. N. J. 65, '97. Unconstitutional. Defective title. Hardy v. City of Orange, 61 N. J. Law 620.

- 3436 Students of state university enlisting in Spanish war entitled to free tuition. Minn. 345, 20 Ap

- 3437 Soldiers and sailors and their orphan children may attend state educational institutions free of tuition. S. D. 79, 21 F

**Soldiers' homes**

- 3438 Establishment. General organization. Establishing a soldiers' home. '93 p.91 reenacted to correct illegality in passage.

Id. p.190, 9 F

- 3439 Revision of '95, 33 as to soldiers and sailors' home.

Wy. 17, 13 F

- 3440 Annual appropriation for each inmate of veterans' home \$75 [formerly \$150]. Amending '93, 179. Cal. 111, 20 Mr

- 3441 Salary of steward of soldiers' and sailors' orphans' home \$900 [formerly \$600]. Amending '87 ch.14. Ind. 115, 1 Mr

- 3442 Minor amendments to G.S. §3626 as to appropriations for soldiers' home. Minn. 164, 11 Ap



- 3443 Admission.** Soldiers and sailors of Mexican, civil and *Spanish* wars may be admitted to soldiers and sailors' home. Amending '98 p.75. Ill. p.354, 22 Ap
- 3444** Extending privileges of soldiers' home to disabled soldiers of Spanish war. Amending '91, 44. Mich. 62, 2 My
- 3445** Extending privileges of soldiers' home to indigent soldiers of Spanish war. Amending G.S. §3605, 3628. Minn. 166, 11 Ap
- 3446** United States soldiers or sailors of civil, *Mexican* or *Spanish* war, may be admitted to the state soldiers' home. Amending P.C.'95 §2517. Mon. p.50, 22 F
- 3447** Soldiers' home to receive applicants who have served in a state military organization or in United States army or navy in *time of war* [formerly in war of rebellion]. Amending P.S.'91 ch.18 §7. N. H. 18, 1 Mr
- 3448** Soldiers and sailors of *Spanish*, *Filipino*, civil, Mexican or Indian war to be admitted to soldiers' home; management of home. Amending '93 p.105; '95 p.90. Or. p.81, 17 F
- 3449** Admitting to veterans' home destitute *army nurses and mothers* of union soldiers. Amending R.S.'98 §1529a. Wis. 304, 1 My
- 3450 Widows and orphans.** Soldiers' orphans' home is for children of veterans [formerly veterans of civil war]; other minor amendments to soldiers' orphans' home law ('97 p.89). Ill. p.86, 3 Ap
- 3451** Amending '93, 212 as to conditions of admission to home for soldiers' *widows*, wives and mothers. Mich. 139, 21 Je
- 3452** Children of soldiers and sailors of Spanish war may be admitted to soldiers' orphan schools. Pa. 45, 13 Ap

**Miscellaneous**

- 3453 Organizations.** (*See also* Membership corporations, 951) Quartermaster general may issue 20 [formerly four] condemned muskets to each camp of Sons of veterans. Amending C.L. §1711. Mich. 68, 10 My
- 3454** Unlawful for nonmembers to wear badge of Sons of veterans. N. J. 215, 24 Mr
- 3455** Grand army button not to be worn by unauthorized persons. Amending Pen.C. §674a. N. Y. 184, 31 Mr
- 3456 Monuments.** State to provide headstones for graves of soldiers of Spanish war. Ct. 192, 15 Je
- 3457** \$65,000 appropriated for monuments to mark the positions of Illinois volunteers in battle of Shiloh. Ill. p.6, 24 Ap
- 3458** Any county may erect a monument or memorial building in honor of its soldiers and sailors. Ill. p.124, 22 Ap
- 3459** \$100,000 appropriated to complete state soldiers' and sailors' monument. Ind. 106, 25 F

- 3460 Counties may spend \$2500 for monuments or memorial halls to soldiers of civil war; electors to vote thereon.  
Minn. 339, 20 Ap
- 3461 Commission appointed to erect monument to New Jersey sailors who died on the Maine.  
N. J. 37, 15 Mr
- 3462 Soldiers' monument corporations may erect monuments to soldiers and sailors of civil or *Spanish* war; towns and villages may levy taxes not to exceed \$500 annually for erecting or caring for such monuments. Amending '95 ch.559 §121.  
N. Y. 207, 1 Ap
- 3463 Misdemeanor to deface monument or other structure on battlefields.  
Tenn. 354, 22 Ap
- 3464 Granting permission for erection of memorial to soldiers of Spanish war on capitol grounds; \$1500 appropriated.  
Wy. 68, 20 F
- 3465 Memorial day. Towns may make appropriations for decorating graves of soldiers and sailors who served United States in time of war [formerly soldiers of civil war]. Amending P.S.'91 ch.40 §4.  
N. H. 34, 7 Mr
- 3466 Towns containing village of 5000 in which are two or more G. A. R. posts, may appropriate \$100 for observance of memorial day. Amending '98 ch.36 §1.  
N. Y. 679, 25 My
- 3467 Confederate memorial day is second Friday in May. Amending '89, 63.  
Tenn. 156, 7 Ap
- 3468 Towns, villages and cities under 5000 may appropriate \$50 annually, cities over 5000 \$100 for memorial day celebration.  
Wis. 124, 8 Ap
- 3469 War records. Adjutant general to publish records of state troops in civil and Spanish wars; distribution. Col. 25, 4 Ap; 26, 6 Ap
- 3470 \$5000 appropriated for preparation and revision of rosters of Illinois volunteers in civil and Spanish wars. Ill. p.3, 24 Mr
- 3471 Adjutant general to prepare and distribute records of Indiana volunteers in Spanish war.  
Ind. 185, 4 Mr
- 3472 Creating commission to publish records of soldiers and sailors of state in civil war; 5500 copies.  
Mass. 475, 3 Je
- 3473 500 copies of any history of state organizations in *Spanish war* to be bought for state.  
Mass. 388, 23 My
- 3474 Adjutant general to compile history of soldiers and sailors in Spanish and civil wars.  
Mich. 150, 23 Je; 157, 23 Je
- 3475 10,000 additional copies of history of state organizations at Chickamauga, Chattanooga and Missionridge.  
Mich. j.r. 8, 30 Mr
- 3476 Authorizing purchase of muster rolls of state volunteers in civil war to complete the records of adjutant general's office.  
N. M. 67, 16 Mr

- 3477 Sketches of confederate regiments from North Carolina to be printed by state. N. C. 28, 31 Ja
- 3478 Adjutant general to prepare record of state soldiers and sailors of Spanish war. Pa. 48, 13 Ap
- 3479 Confederate soldiers' disability. Political disabilities imposed by art.5 §2 of state constitution removed. Kan. 172, 3 Mr

## Charities

(See also Membership corporations, <sup>a</sup> 951; Fraternal beneficiary societies, 3757; Police and firemen's pensions, 2958, 2972; State finance—institutions, 1121; State institutions 3717; Veterans—pensions and relief, 3398)

### Charities and corrections—general

- 3480 County boards of charities and corrections to be appointed by circuit court on petition of 15 persons; visit institutions quarterly; report to county commissioners. Ind. 34, 17 F
- 3481 Commission to investigate and report to next legislature on state support and control of dependent insane and feeble-minded and the moral improvement of penal institutions. N. H. 134, 11 Mr
- 3482 State controller and president of state board of charities to classify officers and employees of charitable and reformatory institutions and fix salaries of each class; *monthly* [formerly quarterly] accounts of receipts to be rendered by each institution. Amending '97 ch.413 §17. N. Y. 383, 21 Ap
- 3483 State board of control to inspect semiannually fire equipment, water supply, drainage and heating and ventilating systems of county asylums, poorhouses and jails. Amending R.S.'98 §564. Wis. 226, 20 Ap
- 3484 Officers, janitors and guards of *all* state charitable, *penal and reformatory* institutions, *county insane asylums and poorhouses outside of municipalities* empowered to arrest violators of rules. Amending R.S.'98 §609. Wis. 228, 20 Ap
- 3485 Corporation to maintain hospitals, asylums, industrial schools and refuges subject to visitation by state board of control [formerly charities and reform]. Amending R.S.'98 §1785-86. Wis. 351, 4 My

### Charities—general

- 3486 Providing for incorporation of charitable societies. Mich. 166, 23 Je
- 3487 Charitable corporations exempt from taxation to report annually to state board of charities. Mass. 259, 10 Ap

<sup>a</sup> Many general incorporation laws cover charitable and several other classes of nonprofit corporations. To save repetition these are all placed together.

- 3488 Only persons necessarily residing therein shall be allowed rooms and maintenance in state charitable institutions; other amendment to '96 ch.546 §41 relating to monthly estimates of expenses. N. Y. 436, 25 Ap
- 3489 State board of charities to approve plans for new buildings for institutions subject to their supervision, and plans for unusual repairs. Amending '96 ch.546 §9. N. Y. 504, 3 My
- 3490 State purchasing agent for eleemosynary institutions created; term two years; salary \$2000; appointed by governor; storekeepers created for each institution, salary \$900; office of steward or quartermaster abolished. Tex. 86, 19 Ap

### Poor relief

(See also Vagrancy, 2594)

- 3491 General. General law regulating poor relief. Ind. 90, 24 F
- 3492 Cities of 2000 to 15,000 may appropriate money to associated charity organizations; restriction. Col. 147, 10 Ap
- 3493 Temporary relief for nonresident poor not to exceed \$20 and transportation to county of residence. Amending C.L. §4556-58. Mich. 213, 1 Je
- 3494 Counties changing to town system of caring for poor may reimburse towns which spend over \$300 yearly. Minn. 285, 19 Ap
- 3495 Overseer of poor in townships in counties of 150,000 [formerly 50,000] or less may grant temporary relief. Amending '90 ch.178 §1. N. J. 106, 23 Mr
- 3496 In counties maintaining both poorhouse and county asylum for chronic insane, trustees of latter shall be ex officio superintendents of poor unless county boards appoint others; superintendents of outdoor relief may be appointed. Amending R.S.'98 §604a. Wis. 73, 30 Mr
- 3497 In counties of 150,000 trustees of county asylums may prosecute collections, recover damages for injuries to property; employ counsel. Wis. 245, 26 Ap
- 3498 Poorhouses. Revision of law governing county asylums for the poor. Ind. 76, 23 F
- 3499 Superintendent of county poor asylum, bond \$500 to \$5000 with freehold security. Amending R.S.'94 §8171. Ind. 87, 24 F
- 3500 Supervisors may contract with other counties for care of poor. Ari. 42, 14 Mr
- 3501 In counties having no poorhouses, court may let out paupers to lowest bidder, who shall give bond to house, clothe, feed and furnish medical attendance. Amending Digest '94 §859. Ark. 95, 5 Ap

- 3502** District poorhouses may be established in two or more counties of 25,000 joint population. *Minn.* 256, 18 Ap
- 3503** On recommendation of state board of charities the board of supervisors may move almshouse without petition or vote of county. Amending '92 ch.686 §31. *N. Y.* 133, 24 Mr
- 3504** Purchase of asylum for poor may be submitted at any special, county or general election. Amending R.C.'95 §1495. *N. D.* 6, 2 Mr
- 3505** Home for aged. Director of home for aged to file *affidavit that he owns \$2000* [formerly \$1000 bond]; other officers to give bond in amount fixed by directors [formerly \$5000]; board may require additional security or declare office vacant. Amending '97, 52. *Mich.* 194, 10 My

### Children. Orphans

(See also Family, 1; Guardians, 1845)

- 3506** Dependent and neglected children. Providing for disposition of dependent, neglected and delinquent children; juvenile courts, probation officers, guardianship; supervision of associations receiving children by state commissioners of public charities; county boards of visitors. *Ill.* p.131, 21 Ap
- 3507** State board of four members known as West Virginia humane society created to protect children, the aged and animals; appointed by governor; power to receive children under 16 surrendered or under 14 abandoned or mistreated by parents; procedure. *W. Va.* 9, 21 F
- 3508** Charitable societies may receive children under 14 on voluntary surrender by parent, or in case of homeless orphan, by county commissioners; or by superior judge when parents are criminal, habitual drunkards, cruel, neglectful or of evil character. *Wash.* 10, 14 F
- 3509** District court or court commissioner, on petition of 10 heads of families, may appoint guardian for orphan or child of indigent, immoral, incompetent or convict parent or having no fit home; notice; county attorney to prosecute for petitioners. *Wy.* 25, 16 F
- 3510** State board. Creating state board of children's guardians to consist of seven persons, two of whom must be women; appointed by governor; regulations; powers; duties. *N. J.* 165, 24 Mr
- 3511** Children's homes. Homes for dependent and neglected children to receive children between the ages of  $\frac{1}{4}$  [formerly 2] and 18. Amending G.L.'88 §3655; '97, 210. *Ct.* 69, 20 Ap

- 3512 Children demented or idiotic or having contagious diseases not to be committed to home for dependent and neglected children.  
Ct. 76, 27 Ap
- 3513 Costs of committing boys to state school for boys or to home for dependent children, to be paid as in criminal cases.  
Ct. 190, 15 Je
- 3514 Minor amendment to G.L.'88 §3654; '97, 210 relating to commitment of children to home for dependent and neglected children.  
Ct. 200, 15 Je
- 3515 Act ('94 p.80) regulating benevolent institutions for the custody of children applies to all such institutions incorporated before said act.  
Ga. p.104, 16 D '98
- 3516 Illegitimate children under 3 [formerly 1] received for board to be reported to state board of charity. Amending '89, 309.  
Mass. 276, 15 Ap
- 3517 Nonincorporated societies forbidden to receive minor children.  
Mich. 42, 18 Ap
- 3518 Private orphan asylums may receive county orphans when state board of corrections and charities certifies to fitness.  
Minn. 329, 20 Ap
- 3519 Membership corporations for prevention of cruelty to children shall be subject to visitation of supreme court. Amending '95 ch.559 §16.  
N. Y. 360, 18 Ap
- 3520 Industrial manager for state orphans' home; salary not over \$1500. Amending R.S.'95 art.166, 170. Tex. 166, 5 Je
- 3521 County boards may appoint trustees to manage homes for dependent children.  
Wis. 34, 23 Mr
- 3522 Adoption. Children under 7 who are in an incorporated institution and abandoned by their parents may be adopted by proper person. Amending R.S.'89 §971. Mo. p.50, 6 My
- 3523 Amending '96 ch.272 §62 relating to adoption, as to written consent of parent or guardian residing in another country.  
N. Y. 498, 2 My
- 3524 Placing out. Unlawful to import dependent children without consent of state board of charities; \$10,000 bond not to import incorrigible or unsound in mind or body, to remove such as become public charges or criminals, to secure proper homes and visit annually.  
Ind. 29, 13 F
- 3525 State board of corrections and charities to inspect institutions receiving and finding homes for minor children; full records of each child to be kept at institution; reports to state board.  
Mich. 41, 18 Ap

- 3526** Societies for securing homes may receive child under 10 [formerly 2] years old; parent to have *five* [formerly two] days notice of hearing on petition. Amending G.S. §2933, 2937-38.  
Minn. 64, 18 Mr
- 3527** Unlawful to import dependent children without consent of board of correction and charities; \$1000 bond required.  
Minn. 138, 7 Ap
- 3528** Poorhouse authorities may bind out children, or find homes for them. Amending '92, 230. N. J. 141, 24 Mr
- 3529** Certain benevolent and charitable associations, having a home for widows, orphans and aged members, may become guardians of children committed to their care; may bind out children. Amending '53, 134. N. J. 204, 24 Mr
- 3530** Societies for securing homes for orphans empowered to receive child under 14 [formerly 10] without his consent and over 14 and under 18 [formerly over 10 and under 14] with his consent; to contract for proper homes till girl is 18 [formerly 16] or boy is 21 [formerly 18]; court may deliver to society child under 14 [formerly 2] without proper home. Amending '97, 87. N. D. 98, 9 Mr
- 3531** Officers of benevolent and charitable institutions may be empowered by court to bind out minor children; notice.  
Pa. 46, 13 Ap
- 3532** County court may allow organizations to take orphans with their consent from almshouse; agent must give proof of intent to furnish home. W. Va. 50, 24 F

### Deaf and dumb. Blind

- 3533** General. Governor may extend *five* [formerly three] years the term of pupil in institution for blind, deaf or dumb. Amending '75, 58. Del. 245, 26 Ja
- 3534** State board of education to contract with some adjacent state or territory for education of deaf, dumb and blind. '90-91 p.226 reenacted to correct illegality in passage. Id. p.162, 7 F
- 3535** Census of deaf and blind children of school age to be taken. Id. p.462, 13 Mr
- 3536** Woman physician to be employed at schools for deaf and blind, when necessary. Mich. 185, 2 My
- 3537** Assistance to be furnished indigent deaf and dumb and blind children on recommendation of state board of charities. Amending P.S.'91 ch.86 §2. N. H. 99, 11 Mr
- 3538** Amending annual appropriation for deaf, dumb and blind children (Vt.S. §856). Vt. 30, 1 N '98

- 3539 Trustees of state school for defective youth to elect one of the board secretary to prepare annual report; salary \$25. Amending G.S.'91 §993. Wash. 81, 13 Mr
- 3540 Deaf and dumb. Repealing provision for educating deaf mutes outside state ('93, 203). Me. 2, 30 Ja
- 3541 Superintendent of public instruction may permit districts and cities to maintain schools for deaf; at least three pupils in each; state aid \$150 for each pupil; qualifications of teachers "oral" system of instruction. Mich. 176, 23 Je
- 3542 Amending '97, 31 for establishment and regulation of state asylum for deaf and dumb. N. M. 42, 15 Mr
- 3543 May be supported by state in Mystic oral school of Mystic, Ct. Amending Vt.S. §857. Vt. 29, 1 N '98
- 3544 Blind. Blind persons beneficiaries of the state to receive instruction for not to exceed three years in some useful occupation; tools may be given to establish any such blind person in such occupation. Ct. 218, 20 Je
- 3545 Governor authorized to contract with South Dakota or Minnesota for instruction of blind children. N. D. 86, 7 Mr

## Sick and wounded

(See also Contagious diseases, 4110)

- 3546 Hospitals. Streets not to be opened through hospital grounds under 10 acres without consent of managing board of corporations. Amending G.S. §2922. Minn. 294, 19 Ap
- 3547 City or town may contract for free hospital bed. N. H. 13, 28 F
- 3548 From proceeds of bonds for enlargement and repair of city hospitals, \$25,000 may be appropriated for furnishing and equipping. Amending '94, 275. N. J. 69, 21 Mr
- 3549 Big Horn hot springs to be controlled by state board of charities and reform; public bath-houses may be constructed. Wy. 39, 17 F
- 3550 Dispensaries. Dispensaries to be licensed by state board of charities; regulations. Amending '96 ch.546 art. 1. N. Y. 368, 18 Ap
- 3551 Ambulances. Ambulances to have right of way on roads. B. I. 607, 21 F
- 3552 Temporary relief. Any physician treating poor in emergency case to be paid by county; regular county physician to be notified and take charge. Amending G.S. §1960. Minn. 172, 11 Ap
- 3553 Minor amendment to Vt.S. §3174, 3176 relative to support of transient sick or disabled paupers. Vt. 62, 22 N '98



## Insane. Feeble-minded

(See also Guardianship, 1845; Insane convicts, 3635)

- 3554 General. Revising insanity laws. N. C. 1, 17 F  
 3555 Generally amending '97, 227 regarding state lunacy commission. Cal. 128, 21 Mr  
 3556 Generally amending C.L. §1915, 1922 as to commitment and maintenance of insane. Mich. 173, 23 Je  
 3557 State tax for care of insane 1-2 [formerly  $\frac{3}{4}$ ] mill. Amending '95 ch.116. Wy. 78, 21 F

## Asylums. Government

- 3558 State asylums. Asylum for indigent lunatics to be called hospital for insane. Fla. 140, 27 My  
 3559 Establishing Indiana hospital for the criminal insane. Ind. 221, 6 Mr  
 3560 Establishing insane asylum and fixing manner of choosing site. Kan. 13, 3 Mr  
 3561 Seven [formerly six] trustees of insane hospital; to control Eastern hospital also. Amending R.S. ch.143. Me. 75, 15 Mr  
 3562 Name of asylum for dangerous and criminal insane changed to State asylum. Mich. 17, 15 Mr  
 3563 Establishing asylum for insane in southeastern part of state. Mo. p.236, 4 Ap  
 3564 Locating first insane asylum at Anoka; second at Hastings; to consist of cottages not over two stories; \$15,000 for land, \$125,000 for buildings. Minn. 230, 15 Ap  
 3565 County. Counties of 100,000 may build and maintain insane asylums; election; bonds. Mo. p.136, 18 My  
 3566 To heat or enlarge county lunatic asylums, bonds not exceeding \$60,000 may be issued by county. Amending '90, 250. N. J. 12, 8 Mr; 61, 21 Mr  
 3567 In counties of 150,000 trustees of county asylums may prosecute collections, recover damages for injuries to property and employ counsel. Wis. 245, 26 Ap  
 3568 Miscellaneous regulations. Amending delivery of insane persons by sheriff to agent of insane asylum (R.S.'87 §777, 780). '95 p.17 reenacted to correct illegality in passage. Id. p.114, 6 F  
 3569 Resident woman physician to be employed at insane asylums. Mich. 185, 2 My  
 3570 Trustee of insane asylum not to furnish supplies; treasurers abolished, superintendents to act as such and give \$10,000 additional bond. Amending '87, 146. Tenn. 290, 20 Ap

**Support. Right of admission**

3571 Real and personal property of indigent insane persons to be reported at time of commitment. **Ct. 150, 1 Je**

3572 Amending R.S.'94 §3223 regulating clothing to be sent with patients admitted to Indiana hospital for insane.

**Ind. 191, 4 Mr**

3573 Estate of insane person without family or dependents may be used for support in asylum; county clerk to report estate to asylum superintendent. **Tenn. 428, 24 Ap**

3574 Hospitals for insane may receive voluntary patients without physician's certificate of insanity. **Vt. 64, 26 N '98**

3575 State support. State to pay counties \$2.75 a week for each acute and \$1.50 for each chronic insane person in county hospitals. **Wis. 271, 26 Ap**

3576 Insane of unknown residence may be committed to asylum at state expense. Amending C.L. §4556-58. **Mich. 213, 1 Je**

**Examination. Commitment. Discharge**

3577 Insane to be examined by *two* [formerly one or more regular] *reputable, competent, disinterested* physicians *separately*. Amending Digest '94 §3992. **Ark. 74, 22 Mr**

3578 Committing magistrate to designate woman attendant to accompany insane woman to asylum unless father, husband, brother or son with her. **Mass. 198, 28 Mr**

3579 Cost of examination and commitment of insane person from another county to be repaid by county of residence; state board of corrections and charities to decide disputes as to residence. **Minn. 16, 17 F**

3580 *On complaint, justice of peace may issue warrant for arrest of lunatic, returning complaint and warrant to county judge, who shall set hearing and determine.* Amending R.S.'95 art.128. **Tex. 100, 9 My**

3581 Physician's certificate for entrance to asylum not to be granted by member of board of supervisors of the insane. Amending Vt.S. §3239. **Vt. 63, 30 N '98**

3582 Amending law to prevent idiots and demented persons not dangerous from being confined in asylums for the insane (Vt.S. §3245). **Vt. 63, 30 N '98**

3583 Police justice or judge has same powers as county judge in respect to commitment of insane; same procedure. **Wis. 21, 17 Mr**

3584 Insane to be conducted to asylum by *superintendent* [formerly *sheriff*]; *sheriff* to conduct to nearest railway station if deemed advisable by state board of charities. Repealing '97, 10. **Wy. 55, 18 F**

- 3585 Parole. Recovery. Discharge.** Order discharging patient from insane asylum becomes operative when signed by *secretary of board and superintendent* [formerly three trustees]. Amending '97 ch.212 §3. Minn. 25, 25 F
- 3586** Fund for relief of indigent patients discharged from insane asylum. Nev. 102, 16 Mr
- 3587** Superintendents of Vermont state hospital and Brattleboro retreat may grant 60 days furlough to patients supported by state. Vt. 63, 30 N '98
- 3588** Provisions as to paroled and absent inmates of insane hospitals applicable to paroles granted prior and subsequent to act and to county asylums; criminal insane not to be paroled till legally determined cured. Amending R.S.'98 §587c. Wis. 327, 6 My

**Epileptics. Idiots**

- 3589 Colonies.** Establishment of state colony for treatment of epileptics. Ill. p.8, 19 Ap
- 3590** Establishing colony for feeble-minded and epileptics. Mo. p.232, 24 My
- 3591** General rules for government and management of state village for epileptics. N. J. 152, 24 Mr
- 3592 Asylums.** 14 [formerly two] imbecile children of the state may be sent to institutions outside state. Amending '61, 53. Del. 244, 23 F
- 3593** Persons over 14 [formerly adult] may be received at hospital for epileptics; *same fees as in commitment of insane.* Amending '98, 213. Mass. 211, 30 Mr
- 3594** Referring to next legislature amendment to constitution establishing institution for feeble-minded at Grafton. N. D. p.260
- 3595** Establishing asylum for epileptics, near Abilene; cost \$100,000. Tex. 5, 9 F
- 3596** Trustees of state school for defective youth to elect one of the board secretary to prepare annual report; salary \$25. Amending G.S.'91 §993. Wash. 81, 13 Mr
- 3597** Support. Towns whose assessed valuation is under \$500,000 may be reimbursed for expenses of inmate of *school for feeble-minded or hospital cottages for children.* Amending '95, 375. Mass. 156, 16 Mr
- 3598** Assistance to be furnished feeble-minded children on *recommendation of state board of charities.* Amending P.S.'01 ch.86 §2. N. H. 99, 11 Mr
- 3599** Making appropriation for building for treatment and education of imbeciles or feeble-minded persons. S. D. 117, 3 Mr
- 3600** Amending annual appropriation for feeble-minded children (Vt.S. §856). Vt. 30, 1 N '98

## Penal institutions

(See also Charities and corrections, 3480; State institutions, 2717; Criminal procedure—  
apprehension, transportation, sentence and execution, etc.)

### State boards

- 3601** Governor, secretary of state and attorney general to constitute board of state prison commissioners; may give employment to convicts; to appoint warden; rules of penitentiary; commutation of sentence for good behavior. '90-91 p.21; '93 p.155 *reenacted to correct illegality in passage.* Id. p.13, 2 F  
Amended. Id. p.433, 9 Mr
- 3602** Chief justice of supreme court, lieutenant-governor and directors of state prison and house of correction constituted a board of prison commissioners; to consider applications for pardon and make recommendations to governor; power to grant and regulate paroles transferred from governor to board.  
Vt. 126, 16 N '98
- 3603** Amending composition and term of office of board of penitentiary commissioners (C.L.'97 §3491); superintendent of penitentiary to be a state *officer* [formerly employee]. N. M. 10, 13 F

### Prisons

- 3604** State prisons. Joint committee to be appointed to investigate state penitentiary; report to next legislature.  
N. C. 5, 18 Ja; 669, 8 Mr
- 3605** State prison of North Carolina a corporation; directors appointed by the general assembly. N. C. 24, 26 Ja
- 3606** Bonds to be issued to buy certain penitentiary farms heretofore leased by state; regulations. N. C. 607, 7 Mr; 631, 8 Mr
- 3607** Creating ex officio board to dispose of unused prison property and to buy additional farm land. Tenn. 405, 22 Ap
- 3608** All convicts confined in the state to be removed to penitentiary at Rawlins before 1900. Wy. 12, 10 F
- 3609** State prison—officers. Compensation of warden and board of penitentiary commissioners amended (G.S.'83 §2550, 2561).  
Col. 120, 19 Ap
- 3610** Salary of officer of state prison guard \$600. Amending R.S. ch.115 §1. Me. 37, 3 Mr
- 3611** Warden may appoint five additional watchmen.  
Mass. 245, 10 Ap

- 3612 Salary of warden not over \$4000 [formerly \$3000]. Amending G.S. §7455. Minn. 228, 14 Ap
- 3613 Officers to include one, or in discretion of trustees and warden, two chaplains. Amending R.C.'95 §8581. N. D. 119, 21 F
- 3614 Board to fix warden's salary, not to exceed \$1800 [formerly \$2000]. Wash. 78, 13 Mr
- 3615 State house of correction. Compensation of chaplain. Vt. 124, 15 N '98
- 3616 Salary of superintendent not to exceed \$1200 [formerly \$1000]. Vt. 133, 22 N '98
- 3617 State reformatories. Reform school for girls and women's prison to be made two institutions known as industrial school for girls and women's prison. Ind. 19, 7 F
- 3618 Board of managers to consist of four members, *not more than two to be of same political party*. Amending '97 ch.53. Ind. 181, 4 Mr
- 3619 Female between age of 15 and 30 [formerly 12 and 25] may be committed to state reformatory or house of refuge for *three* [formerly five] years. Amending '96 ch.546 §146. N. Y. 632, 23 My
- 3620 House of correction and reformatory to be controlled by *board of penitentiary commissioners* [formerly board of control]. Amending R.S.'95 t.54. Tex. 114, 12 My
- 3621 Revision of law regarding state reformatory (R.S.'98 ch.205a). Wis. 28, 18 Mr
- 3622 Reform schools. Establishing a reformatory and industrial school for white children; officers; regulations. Ala. p.158, 23 F
- 3623 Each county to pay 50c a day for each girl sent to state industrial school for girls. Col. 141, 10 Ap
- 3624 Discharges of inmates by directors of state industrial school amended (G.L.'88 §3644). Ct. 138, 31 My
- 3625 Amending '93, 188 relating to support of girls committed to state industrial school. Ct. 142, 31 My
- 3626 Establishing state reform school at Mountain Home; trustees; regulations. '93 p.165 reenacted to correct *illegality in passage*. Id. p.226, 15 F
- 3627 Establishing industrial school for girls. Me. 127, 17 Mr
- 3628 Inmates of Lyman and industrial schools may be transferred to hospital cottages for children or to school for feeble-minded on physician's certificate. Mass. 158, 18 Mr
- 3629 Juvenile offenders in care of state board of charities or Lyman and industrial schools may be sent to state almshouse for hospital treatment. Mass. 193, 24 Mr

- 3630 Resident woman physician to be employed at industrial home for girls. Mich. 185, 2 My
- 3631 Infants from 8 to 17 [formerly 16] convicted of *any* crime [formerly murder excepted] *may* [formerly must] be sent to state training school; *act does not apply to municipal courts in counties over 10,000*. Amending '95, 153. Minn. 156, 11 Ap
- 3632 Amending C.S.'97 §4172 relating to appointment of officers of state industrial school for juvenile offenders. Neb. 55, 1 Ap
- 3633 Juvenile delinquents convicted in United States courts to be admitted into state reform institutions. Pa. 12, 22 Mr
- 3634 Convict under 18 may be sent to industrial schools till 21, in discretion of court. Amending R.S.'98 §4969. Wis. 351, 4 My
- 3635 Criminal insane. Repealing G.L.'88 §3385-87 relating to examination and commitment of insane prisoners by county commissioners; return to prison on recovery. Ct. 82, 27 Ap
- 3636 Establishing Indiana hospital for the criminal insane. Ind. 221, 6 Mr
- 3637 Name of asylum for dangerous and criminal insane changed to state asylum. Mich. 17, 15 Mr
- 3638 Persons escaping punishment for *murder, rape, arson or attempt at great bodily harm* [formerly any crime] on account of insanity, to be sent to asylum for dangerous insane; *all* insane patients previously convicted of *any* [formerly above-named] crimes *shall* [formerly may] be transferred; *patients to be employed if superintendent deems advisable*. Amending C.L. §1965, 1972-73, 1980. Mich. 81, 25 My
- 3639 County jails. Commissioners of prisons may remove sentenced prisoner from jail or house of correction to state farm; original sentence to be served. Mass. 263, 11 Ap
- 3640 Payment of board of prisoners by county courts amended ('91 p.116). Mo. p.157, 24 My
- 3641 County workhouses. County farm buildings and jails to be deemed county houses of correction; commitments may be to either. N. H. 7, 15 F
- 3642 Workhouse superintendent in counties over 55,000 [formerly and under 75,000] to be elected every four years. Amending '97, 104. Tenn. 35, 27 Mr
- 3643 Creating workhouse commission in counties establishing separate workhouse. Amending '91, 123. Tenn. 426, 22 Ap
- 3644 Municipal jails. State board of corrections may condemn village lockups unfit for use. Amending G.S. 264. Minn. 187, 13 Ap

**Convicts—commitment, management**

**Commitment. Discipline. Instruction**

- 3645 Felony to bring narcotics, intoxicants or weapons into state prison or grounds. Cal. 4, 10 F
- 3646 Board of control of state prison shall provide instruction for inmates. Ind. 27, 10 F
- 3647 *Photographs of criminals to be furnished to prisons in other states exchanging information; copies of measurements, etc. to be furnished cities of the state using Bertillon method.* Amending '90 ch.316 §4. Mass. 203, 28 Mr
- 3648 Governor may appoint agents of commissioners of prisons to be special police to transfer prisoners. Mass. 243, 10 Ap
- 3649 Repealing G.S. §7509 as to monthly notice to district judges of number of convicts in reformatory. Minn. 118, 3 Ap
- 3650 Repealing provision (G.S. §3596) for semiannual abstract of record of each prisoner in state reformatory. Minn. 130, 4 Ap
- 3651 Inmates of state industrial reformatory escaping while working outside the walls, to be subject to penalties provided for breach of prison. Amending '87 ch.30 §5. Pa. 67, 28 Ap

**Sentence. Parole. Pardon**

- 3652 Duties and powers of board of pardons; certain prisoners may be released on parole; governor may restore to citizenship. '90-91 p.17; '97 p.59 reenacted to correct illegality in passage. Id. p.10, 2 F
- 3653 **Probation.** Probation officer to be appointed in each county by county court; may recommend that persons convicted be released on probation; may expend money for temporary support and transportation; must report monthly to prison commission. Vt. 128, 16 N '98
- 3654 **Indeterminate sentence. Good time.** Providing indeterminate sentences to state penitentiary. Col. 104, 3 My
- 3655 Indeterminate sentence law ('97, 143) formerly applying to males over 30, extended to all state prisoners, whether imprisoned before or after passage of act, except for treason and murder in first or second degree; maximum not to exceed original sentence. Ind. 113, 1 Mr
- 3656 Provisions of indeterminate sentence and parole act ('97, 143) extended to all females over 15; women and girls to be sentenced to *women's prison* [formerly state prison]. Ind. 223, 6 Mr

- 3657 Time may, for good behavior, be deducted from sentence if governor issues pardon; governor not compelled to issue pardon. Amending C.L.'97 §3536, 3541. N. M. 1, 19 Ja
- 3658 For each month of good behavior convict shall be entitled to five days diminution of term. Amending Code §3445. N. C. 457, 6 Mr
- 3659 Amending R.S.'98 §2246-53 relating to reduction of sentence for good behavior, parole of prisoners and reimprisonment. U. 39, 9 Mr
- 3660 Maximum and minimum sentence to be prescribed; after expiration of minimum sentence prison commission may grant parole. Vt. 127, 16 N '98
- 3661 Attempt to escape or to assist other to escape forfeits good time allowance. Amending '93, 14. Wy. 48, 17 F
- 3662 Parole. Revision of law relating to system of parole for criminals. Repealing '91 p.55 §13; '95 p.158; '97 p.203. Ill. p.142, 21 Ap
- 3663 Minor amendments to '91 p.51 relating to parole system at state reformatory. Ill. p.333, 21 Ap
- 3664 On recommendation of warden, governor may parole convicts who have served one year, except life prisoners, murderers and those formerly imprisoned for felony. Wash. 26, 3 Mr
- 3665 Pardon. Submitting amendment to constitution establishing board of pardons to consist of governor, attorney general, chief justice of supreme court and two electors appointed by governor. Vote November 1900. N. D. p.258
- 3666 Governor may refer applications for pardon to penitentiary commissioners. Tenn. 10, 27 F
- 3667 Repealing '97, 36, 58 creating board of pardons. Wash. 25, 3 Mr
- 3668 Creating nonpartizan board of pardons of two persons, term four years. W. Va. 58, 25 F
- 3669 Discharge. Prisoner discharged from reformatory to be provided with suit of clothing, ticket and \$10; accompanied to station by officer, who shall deliver railroad ticket to conductor and formally release prisoner on train. Ind. 15, 7 F

Juvenile offenders

- 3670 Providing for disposition of dependent, neglected and delinquent children; juvenile courts, probation officers, guardianship. Ill. p.131, 21 Ap
- 3671 Probation officers to be appointed by state board of corrections and charities in counties of 50,000; to attend trials of juvenile delinquents; represent child and have oversight when sentence is suspended; reports. Minn. 154, 11 Ap



- 3672 Minors under 16 [formerly 13] unable to furnish bail to be committed to custody of state board of charities or of certain societies; may be provisionally placed under probation officer. Amending '98, 581. R. I. 664, 23 My
- 3673 Amending '96, 114 relative to trial of certain juveniles committed to Vermont industrial school. Vt. 125, 22 N '98

### Convict labor

- 3674 General. State account. Commission of six to be appointed by governor to inspect convict labor systems of other states; report to legislature in 1901. Ill. p.378, 11 Ap
- 3675 Board of control of state prison may contract for labor of 400 convicts and of 50% of excess above 800 convicts in prison; highest bidder; lease land and employ convicts to raise produce for prison; accounts. Ind. 27, 10 F
- 3676 Amending per cent of inmates of state prisons, etc. to be employed in certain manufactures ('97, 141). Pa. 100, 28 Ap
- 3677 Contract and lease system. Salaries of members and officers of board of inspectors of convicts amended (Code '96 §4457). Ala. p.56, 8 D '98
- 3678 Creating supervisor of convicts; salary \$25 a month; visit each camp every 60 days. Amending '95, 69. Fla. 97, 3 Je
- 3679 Special industries. Establishing twine plant at state penitentiary; "revolving fund" of \$150,000. Kan. 24, 21 F
- 3680 Establishing brick plant at state penitentiary; brick to be for state's use. Kan. 26, 7 Mr
- 3681 Coal mined at state penitentiary to be limited in amount to needs of state institutions. Repealing '97 ch.163. Kan. 171, 4 Mr
- 3682 Amending '91, 164 authorizing use of convict labor to repair and macadamize certain roads. Kan. 174, 1 Mr
- 3683 Convicts whose sentence is less than five [formerly three] years may be sentenced to work in chain gang. S. C. 10, 2 Ja
- 3684 Convict labor to be used on certain roads. Or. p.84, 17 F
- 3685 Use of convict labor by state in carrying on farming or manufacture of brick, twine or cordage, allowed. Amending '95, 108. N. D. 103, 8 Mr
- 3686 Trustees of penitentiary may establish twine and cordage plant. N. D. 163, 21 F
- 3687 Sale of goods. Regulating sale of twine made at state prison. Minn. 183, 13 Ap
- 3688 County convicts. Prisoners may be sentenced to hard labor in county jails; work may be in jail or outside; road overseer may work prisoners on highways. Ari. 34, 14 Mr

- 3689 County levying court may buy or rent 640 acres on which to work county prisoners; in case contract for prison labor is not made by second Monday in January, county judge to order work on roads, designating districts; convict to receive 75c a day, Sundays included, from contractor. Amending Digest '94 §931-32. Ark. 111, 12 Ap
- 3690 County contractor not to permit prisoners to go at large or control their own labor. Amending Digest '94 §919. Ark. 152, 8 My
- 3691 Municipal convicts working on public work not to be confined with ball and chain unless after escaping. Fla. 112, 22 My
- 3692 Male prisoners in county jails to perform manual labor in and about jail or courthouse. '95 p.100 reenacted to correct illegality in passage. Id. p.253, 14 F
- 3693 Convicts in county jails may be compelled to work on public highways. Or. p.249, 24 F
- 3694 Male prisoners in jails and workhouses may be employed eight hours a day; prison board established to control the work; highways may be worked. Pa. 75, 28 Ap
- 3695 Supervisors may hire and exchange convict labor. S. C. 7, 15 F
- 3696 County commissioners may use chain gang in work for public health. S. C. 9, 2 Mr
- 3697 Judge and clerk of county court and sheriff a board to contract for work on roads of prisoners in jail for nonpayment of fines; 75c a day. Tenn. 358, 21 Ap

## Insurance

(See also Taxation of insurance companies, 1384)

### General— all classes

- 3698 General laws. General law for incorporation and government of accident and other casualty insurance companies. Ill. p.237, 21 Ap
- 3699 General insurance act; department of insurance created; license; 2% tax on gross receipts; statements; forms. N. C. 54, 6 Mr; 590, 7 Mr
- 3700 Generally amending insurance laws; state insurance bureau created; governor made insurance commissioner and may appoint deputy; powers; incorporation and regulation of companies. Neb. 47, 31 Mr
- 3701 State department. Mutual insurance companies' bond to be approved and filed by auditor [formerly secretary] of state. Amending Digest'94 §4133. Ark. 48, 9 Mr

- 3702 Superintendent to turn over to state treasurer monthly all surplus moneys collected in his department. Col. 143, 6 Ap
- 3703 Minor amendment to '95 ch.255 §13; '97, 113 relating to fees collected from fraternal societies by insurance commissioner. Ct. 118, 17 My
- 3704 Law concerning appointment, term of office, etc. of insurance commissioner amended (G.L.'88 §2814-18). Ct. 159, 9 Je
- 3705 Duties of auditor of public accounts and attorney general relative to insurance transferred to insurance superintendent. Amending '93 p.107. Ill. p.256, 24 Ap
- 3706 State superintendent to be *elected for two years* [formerly appointed by governor for four years]. Kan. 18, 7 Ja
- 3707 Revising '97 ch.74 §27 fixing fees to be paid by insurance companies to superintendent. Kan. 146, 4 Mr
- 3708 Insurance commissioners to receive 40% [formerly 60%] of fees collected. Amending Vt.S. §4172. Vt. 75, 22 N '98
- 3709 **Officers. Stock. Property.** Fire, marine and other insurance companies, after investing \$100,000 [formerly \$200,000] in United States, state and local government bonds, real estate, merchandise or cereals, may invest in first mortgage bonds of any corporations. Amending C.C. §427. Cal. 57, 6 Mr
- 3710 State treasurer to deliver securities of insurance companies to receiver on order of court. Ct. 151, 1 Je
- 3711 Unlawful for insurance company to loan funds to its officers. Ind. 107, 27 F
- 3712 Insurance companies may reduce capital to \$100,000 on approval of commissioner. Amending '95 ch.175 §34. Minn. 334, 20 Ap
- 3713 **License. Examination. Report.** Amending annual statement required to be filed with auditor by directors of insurance companies (R.S.'94 §4864). Ind. 217, 6 Mr
- 3714 Companies created by special act must report annually to state auditor; publication in three papers; examinations of business by auditor. Ind. 134, 2 Mr
- 3715 Annual statements of companies to be sworn to by president and secretary; \$500 to \$5000 fine for false statement; perjury. Amending '90 ch.421 §22. Mass. 472, 3 Je
- 3716 Unlawful for company to make false statements in circulars, advertisements or reports; directors and officers liable to fine and imprisonment; forfeiture of charter. Mich. 256, 23 Je
- 3717 Amending '88, 277 relating to extension of charter of joint-stock companies. N. J. 7, 6 Mr
- 3718 Statements of companies to be published at *authorized* [formerly half] rate for publishing legal notices. Amending R.C.'95 §3119. N. D. 102, 24 F

- 3719 Commissioner of insurance to publish condensed statements of companies except those of town, *local mutual hail, wind, cyclone, church and retail lumber dealers' associations*. Amending R.S. '98 §1971. **Wis.** 192, 18 Ap
- 3720 Foreign companies. Amending regulations concerning the issuing of certificates authorizing companies to do business in state (R.S.'87 §257-62). **Ari.** 39, 14 Mr
- 3721 Foreign companies must have \$200,000 capital or \$2,000,000 of assets with \$450,000 surplus above liabilities. Amending Ann.S.'97 §3765. **Ind.** 245, 6 Mr
- 3722 Foreign companies must deposit as large an amount as the laws of their states require of foreign corporations. **Mich.** 79, 17 My
- 3723 Amending '87, 119 as to statement to be filed by foreign companies transacting business in the state. **N. J.** 15, 8 Mr
- 3724 Foreign companies to be licensed on depositing with insurance commissioner [formerly state treasurer] \$200,000 in bonds of United States, any state [formerly Washington, New York, Massachusetts] or of any city of 100,000 outside state or any Washington county, city or school district; salary of deputy commissioner \$1500; fee for agent's license \$5 [formerly \$2]. Amending '97, 82. **Wash.** 143, 15 Mr
- 3725 No policy to be written unless countersigned by commissioned and licensed local agent; reinsurance in unauthorized company forbidden. **Wis.** 190, 15 Ap; 344, 3 My
- 3726 Foreign companies to forfeit \$500 for every violation of statutes. **Wy.** 80, 21 F
- 3727 Rates. Insurance commissioner may, on petition, *fix* [formerly recommend] reasonable rates for insurance. Amending P.S.'91 ch.167 §11. **N. H.** 85, 11 Mr
- 3728 Miscellaneous regulations. Companies refusing to pay policies may be compelled to pay plaintiff's attorney fee. Amending. Amending R.S.'89 §5927. **Mo.** p.254, 24 My
- 3729 Insurance companies to pay for revenue stamps on certificates of authority. **Tenn.** 9, 2 Mr
- 3730 Fire, life or accident insurance policies not to limit time of action on policy to less than one year or make an award by appraisers a condition precedent to bringing action. Amending Vt.S. §4214. **Vt.** 80, 29 N '98
- 3731 Insurance agents. Definition of insurance broker amended (G.L.'88 §2935). **Ct.** 116, 17 My
- 3732 Agent's certificate revocable for misrepresentation. **Tenn.** 25, 24 Mr

- 3733** Agent who embezzles or withholds money received for company is guilty of larceny. Amending R.S.'89 §5915. Mo. p.252, 24 My
- 3734** Person who acts as insurance broker without obtaining certificate of authority guilty of misdemeanor. Amending '97 p.125. Mo. p.252, 2 Je

### Life and accident insurance

#### Regulations. Policies

- 3735** Providing for incorporation of stock or mutual life companies by citizens of state. Ind. 28, 10 F
- 3736** Regulating the organization and management of life companies transacting business on stipulated premium plan. Mo. p.260, 27 Mr
- 3737** General act authorizing incorporation of life companies on stipulated premium plan. Wis. 270, 26 Ap
- 3738** Various amendments to life and accident insurance law (R.S.'89 ch.89 art.2; '95 p.196). Mo. p. 243, 15 Ap
- 3739** Regulating the reinsuring of risks. Amending G.L.'88 §2880. Ct. 49, 11 Ap
- 3740** Regulations concerning loans by companies amended (G.L.'88 §2887; '89, 108). Ct. 110, 11 My
- 3741** Life and accident companies to attach to policies on request of insured or furnish him or beneficiaries at any time copies of application, including medical examination and all representations; on failure to comply, license shall be suspended three to 12 months. Mich. 87, 26 My
- 3742** Repealing '97, 42 relating to nonforfeiture of industrial life insurance policies and their surrender value. N. H. 96, 11 Mr
- 3743** Corporations on stipulated premium plan may make deposit with superintendent of insurance and register policies. Amending '98 ch.85. N. Y. 143, 27 Mr
- 3744** Life companies can not contest claims after a certain time. S. D. 98, 24 F
- 3745** Annuities. Endowments. Corporations paying annuities subject to life insurance laws. Ma. 55, 10 Mr
- 3746** Foreign annuity insurance companies to do business in state must have \$100,000 unimpaired capital exclusive of stockholders obligations. Vt. 76, 30 N '98
- 3747** Reserve. Amending regulations concerning reinsurance reserve to be held by life companies (G.L.'88 §2854). Ct. 39, 5 Ap
- 3748** Life companies may deposit \$10,000 or more with insurance superintendent as security for endowments and annuities which are to be registered in his office. Ill. p.257, 18 Ap

- 3749 Calculation of reserve fund of corporations on stipulated premium plan amended; such companies may contract to pay fixed cash values or annuities. '98 ch.85 §305, 306.

N. Y. 166, 30 Mr

**Mutual insurance**

- 3750 Regulating the incorporation and management of mutual, co-operative or assessment life companies; does not apply to fraternal organizations. Ala. p.100, 20 F

- 3751 Votes of policy holders at elections of mutual life companies may be cast by proxy. Kan. 150, 4 Mr

- 3752 Amending C.S.'97 §3474, 3489, 3491 relating to mutual benefit life associations; permitting extended and paid up insurance and cash surrender values; restrictions; fees from companies.

Neb. 45, 1 Ap

- 3753 **Assessment companies.** Requiring policies on assessment plan to contain words "issued upon the assessment plan"; applies only to post mortem assessment. Amending '97 p.67.

Ga. p.97, 20 D '98

- 3754 Corporations for life and casualty insurance on assessment plan not to issue endowment, limited payment life, instalment or annuity policy or contract for extended insurance, paid up or cash surrender value or any payment to policy holder unless contract or determinate reserve is carried on books as a liability; assessment policies, circulars and applications to be plainly printed as such. Amending '89, 237.

Me. 106, 17 Mr

- 3755 Assessment corporations may change names with consent of commissioner of insurance, on application to commissioner of corporations; conditions.

Mass. 164, 18 Mr

- 3756 All future policies of assessment companies and such previously issued as provide for payments other than stipulated premiums shall be valued and reserve maintained thereon. Repealing parts of '90, 421 and all of '96, 515.

Mass. 229, 1 Ap

- 3757 **Fraternal beneficiary societies.** General law regulating fraternal beneficiary societies.

Ind. 117, 1 Mr; Kan. 23, 6 Ja; 147, 4 Mr; 148, 4 Mr

Mass. 442, 29 My; Tex. 115, 12 My

- 3758 Fraternal life association not to have more than 5000 [formerly 1000] members. Amending R.S.'87 §341. Ari. 62, 16 Mr

- 3759 Fraternal orders defined; may maintain reserve or emergency fund derived from assessments; annual report to auditor.

Ark. 186, 8 My

- 3760 Societies may maintain reserve fund for payment of death and disability claims; other amendments to '95 p.178.

Ill. p.255, 24 Ap

- 3761** Suits for benefits against orders shall be brought in county containing principal office *or local lodge to which member belonged; service on local presiding officer.* Amending R.S.'94 §5049.

Ind. 85, 24 F

- 3762** Subordinate lodges may own and control such real estate as may be necessary to provide accommodations for meetings.

Kan. 164, 4 Mr

- 3763** Exempting labor unions from laws regulating fraternal beneficiary organizations.

Mass. 468, 1 Je

- 3764** Sons of Hermann and Modern woodmen of America exempt from laws regulating cooperative and general life insurance companies. Amending G.S. §3314, 3294.

Minn. 113, 3 Ap; 120, 3 Ap; 344, 20 Ap

- 3765** *Grand lodge of Ancient order of united workmen and state camp of Modern woodmen may be incorporated; certificates of lodges in villages or cities lying in two counties to be recorded in both; certificates of grand lodges to be filed with secretary of state.* Amending G.S. §2990-91.

Minn. 180, 14 Ap

- 3766** Fraternal and industrial societies paying only sick benefit not over \$250 or relief benefit not over \$350 *to maintain reserve fund of \$5000; not to transfer risks except on approval of two thirds of policy holders; does not apply to societies with ritual.* Amending '88, 184.

Minn. 344, 20 Ap

- 3767** Associations may deposit securities with commissioner of banking and insurance.

N. J. 48, 17 Mr

- 3768** Placing fraternal orders and associations under control of insurance commissioners.

Vt. 78, 30 N '98

- 3769** Member of society may name as his beneficiary any person *designated by laws of the society* [formerly having insurable interest] *or if laws permit,* insurance may be made payable to his estate. Amending R.S.'98 §1955c.

Wis. 101, 30 Mr

#### Accident insurance

- 3770** Life companies may insure against accident *and disease.* Amending G.L.'88 §2865.

Ct. 82, 30 Mr

- 3771** Casualty or sick benefit company may include \$100 funeral benefit in policy. Amending '87, 187.

Mich. 67, 10 My

- 3772** Companies to insure against *accident or sickness* may reorganize.

Mich. 177, 23 Je

#### Fire and other casualty insurance

##### Fire and marine companies

- 3773** Transferring certain powers from attorney general and auditor of public accounts to insurance superintendent. Amending R.S.'97 ch.73 §10, 22-23.

Ill. p.246, 24 Ap

- 3774 Joint-stock or mutual fire companies may extend their charters at any time within *six* [formerly two] years of termination. Amending R.S.'97 ch.73 §17. Ill. p.252, 24, Ap
- 3775 Limiting authority of fire companies to reinsure risks. Ill. p.253, 24 Ap
- 3776 Fire companies may invest in mortgages on buildings insured payable to mortgagee as mortgage interest may appear; also in state, county, municipal bonds of other states not repudiating in 10 years when total debt is not over 5% of assessed valuation; also in notes secured by national bank stock 25% above par. Amending C.L. §7231. Mich. 73, 10 My
- 3777 Amending C.S.'97 §3462 defining insurable property. Neb. 44, 27 Mr
- 3778 Fire or marine companies hereafter organized must have a paid in capital of at least \$200,000; exception. N. Y. 85, 15 Mr
- 3779 Merger or consolidation of fire corporations amended ('92 ch.690 §129). N. Y. 165, 30 Mr
- 3780 Combinations of fire companies to control rates prohibited; annual affidavits of officers; revocation of license. S. C. 39, 7 Mr
- 3781 Fire companies may declare 10% dividend annually when possessing fund equal to unearned premiums, in addition to 110% of capital, dividends and liabilities; no larger dividend till net surplus equals one half capital, and not less than \$100,000; when surplus equals capital and liabilities, stock may be increased. Wis. 186, 12 Ap
- 3782 Liability. Losses. Policy, in total loss by fire, a liquidated demand for full amount in policy or amount on which premium is charged. Amending Digest '94 §4140. Ark. 61, 18 Mr
- 3783 Substantial compliance with terms of policy entitles owner of personal property to recover against fire company. Ark. 85, 29 Mr
- 3784 Fire company to pay face of policy in case of total loss; full amount of partial loss not exceeding face of policy. Fla. 16, 31 My
- 3785 Contract of insurance is agreement to pay on destruction, injury, loss or damage. Amending '95, 160. Tenn. 31, 27 Mr
- 3786 Fire companies to make detailed reports of fire losses to insurance commissioners within 10 days of settlement of loss. Vt. 79, 28 N '98
- 3787 Insurer may rebuild on giving notice in 20 days, commencing work in 30 days thereafter and paying rent from loss to date of completion. Wash. 145, 15 Mr



- 3788** Fire insurance companies liable, in case of total loss, for whole amount stated in policy; in case of partial loss, basis of computation shall be amount named in policy; insured to have right to enforce claim in courts. **W. Va. 33, 22 My**
- 3789** Policy void if building becomes vacant and so remains for 10 days *and continuing till time of fire*. Amending R.S.'98 §1941 subdiv.46. **Wis. 316, 2 My**
- 3790** Foreign companies. Reinsurance. Regulating reinsurance by fire companies; foreign companies authorized to do business in the state not to insure except through resident agents; examination by superintendent of insurance. **Col. 127, 10 Ap**
- 3791** Foreign fire companies must transact business through resident local agents. **Fla. 15, 3 Je**
- 3792** Fire and marine companies not to reinsure in unlicensed companies; sworn statements of amounts and names of companies yearly. **Mich. 240, 15 Je**
- 3793** Fire companies not to insure property in the state except through resident agents; companies authorized to do business in state must not reinsure risks in unauthorized companies. **Mon. p.118, 6 Mr**
- 3794** Insurance commissioner may license brokers to act as agents of fire companies not authorized to do business in state; restrictions; broker's bond. **Neb. 42, 4 Ap**
- 3795** Policies on property in the state must be issued only by resident agents. **Neb. 43, 24 Mr**
- 3796** Foreign companies not to insure except through resident agents; exception; reinsurance in or for unauthorized companies forbidden; examination. **N. H. 86, 11 Mr**
- 3797** Policies to be written only by resident agents; other regulations. Amending Ann.L.'87 §3580-81. **Or. p.185, 18 F**
- 3798** Risks must be approved in writing by resident, licensed agent; exception; risks not to be reinsured in unauthorized companies; annual report of companies; foreign mutual fire companies may be licensed. **Pa. 153, 8 My**
- 3799** Foreign fire and marine companies must employ local agents. **Tenn. 430, 24 Ap**
- 3800** Fire companies must file written agreement to issue no policies except through resident licensed agents, citizens of state; misdemeanor for any other to write insurance; owner insuring with unauthorized company liable to state for 25% of premiums paid; unauthorized company's policies are valid. **Wash. 144, 15 Mr**

**Mutual companies**

**3801** Organization of mutual casualty companies for insuring farm property; business limited to five contiguous counties.

Ind. 235, 6 Mr

**3802** Mutual companies may be organized by farmers for insuring grain, stock and farm buildings; regulations.

Okl. 17 art.1, 27 F

**3803** Mutual fire companies authorized; regulations.

Or. p.78, 17 F

**3804** Authorizing incorporation and prescribing regulations for mutual fire companies.

Wash. 132, 14 Mr

**3805** Amending power of mutual state fire and casualty companies as to granting of policies (Ann.S.'99 §4096).

S. D. 96, 24 F

**3806** County companies. County mutual fire companies may be organized; regulations. '90-91 p.167 reenacted to correct illegality in passage.

Id. p.111, 6 F

**3807** County mutual fire and casualty companies may insure only property specified. Amending Ann.S.'99 §4087.

S. D. 97, 6 Mr

**3808** Township and municipal companies, Regulating the incorporation and management of town mutual fire, lightning, windstorm, tornado or cyclone insurance companies. Amending '95 p.200.

Mo. p.254, 6 My

**3809** City and village mutual fire companies may require premiums and fees [formerly initiation fees and dues]. Amending R.S.'93 §1941 subdiv.7.

Wis. 25, 17 Mr

**3810** Treasurer of town insurance company need not be a director; annual meeting may be changed to any town in its corporate limits [formerly any town in which it may do business]. Amending R.S.'98 §1929.

Wis. 168, 12 Ap

**3811** Member of town mutual insurance company may withdraw by returning his policy with written request for cancellation, or by written notice properly witnessed. Amending R.S.'98 §1937.

Wis. 169, 12 Ap

**Miscellaneous casualty**

**3812** Live stock. Authorizing the incorporation of mutual companies to insure against loss of hogs by disease. Neb. 46, 1 Ap

**3813** Hall and cyclone. Mutual hall associations authorized.

Kan. 24, 6 Ja; 149, 3 Mr

**3814** Generally amending '85, 186 as to mutual hall and cyclone companies.

Minn. 357, 21 Ap

**3815** Repealing §1956-66 relating to hall companies. Wis. 105, 30 Mr

- 3816 Loss by mail or express.** Mutual companies may be incorporated to insure banks, loan companies and county treasurers against loss from theft or loss of currency or securities shipped by registered mail or express; foreign companies; regulations.  
Ill. p.235, 24 Ap
- 3817** Companies may be organized to insure against loss of money or property by burglary, robbery or in course of transportation by registered mail or express. Amending R.S.'89 §5873, 5875, 5891.  
Mo. p.249, 14 Ap
- 3818** Permitting mutual companies to insure against loss by burglary, robbery or in registered mail; conditions. Tex. 72, 17 Ap
- 3819** Authorizing insurance against burglary and robbery of mails; regulations. Wis. 65, 27 Mr
- 3820 Bicycle.** Bicycle theft insurance companies to have \$25,000 capital; may do business when \$10,000 has been paid in; deposit \$10,000 with insurance commissioner. Amending '95, 175.  
Minn. 234, 17 Ap
- 3821** Authorizing mutual bicycle insurance companies.  
Wis. 167, 12 Ap
- 3822 Plate glass.** Repealing provision permitting life insurance companies to insure plate glass. Mich. 177, 23 Je
- 3823 Miscellaneous.** Mutual creamery insurance companies may issue policies when not less than 25 [formerly 50] risks aggregating \$50,000 [formerly \$100,000] have been subscribed; *mutual retail hardware insurance companies may issue policies when \$500,000 on 250 risks subscribed.* Amending '97, 258.  
Minn. 198, 13 Ap
- 3824** Annual meeting of church insurance corporations to be held *Wednesday after second* [formerly Tuesday after first] Monday in January. Amending R.S.'98 §1941 subdiv. 27.  
Wis. 27, 17 Mr
- 3825** Church insurance societies may amend articles of organization.  
Wis. 118, 1 Ap

### Surety and guaranty companies

(See also Suretyship, 1711; Bonds of various public officers under specific heads)

- 3826 Incorporation. Regulation.** Surety companies to make annual report; agent's certificate; reserve fund; liability on behalf of one person limited. Ct. 55, 19 Ap
- 3827** Generally regulating surety companies; deposit of \$25,000 with secretary of state; on refusal to become surety for person they must on request furnish reasons in writing. '95 p.86 reenacted to correct illegality in passage. Id. p.187, 9 F
- 3828** Organization and regulation of surety companies.  
Ill. p.260, 17 Ap

- 3829** Incorporation of mutual bond companies to insure fidelity of members in offices of responsibility; obligations of members; assessments; reserve fund; annual report to state auditor.

Neb. 18, 28 Mr

- 3830** Surety company's bond to be approved by auditor [formerly secretary] of state. Amending Digest '94 §4164.

Ark. 46, 7 Mr

- 3831** Amending conditions under which surety companies may do business and execute bonds required by law (Ann.L.'87 §3279-84).

Or. p.193, 20 F

- 3832** Auditor may waive deposit required of surety companies which file certificate of United States government that such company is accepted as official surety. Amending '93, 27.

W. Va. 37, 24 F

- 3833** Acceptance on bonds. Payment of premium. Submitting constitutional amendment permitting surety companies to sign bonds of state, municipal and county officers. *Vote 1900.*

Ark. j.r. 1, 8 My

- 3834** Bonds of surety companies to be accepted in civil actions.

Ct. 132, 31 My

- 3835** Surety companies may be accepted on official bonds.

Fla. 10, 1 Je

- 3836** Premiums on fiduciaries' bonds may be paid from trust funds.

Fla. 55, 1 Je

- 3837** Bonds and sureties required by law may be executed by surety companies authorized to do business in state; companies to pay state license fee; premium for bond of state, district, county, city, village or school district treasurers to be paid by state, district, etc.; one half the premium for other officers to be paid by state, district, etc.

Id. p.337, 23 F

- 3838** Surety companies may act on bonds *to state*. Amending '94 ch.522 §61.

Mass. 364, 12 My

- 3839** Surety companies may be accepted on bond of any person or corporation, *or state, county or township officer*. Amending '87, 84.

Nev. 84, 14 Mr

- 3840** Bonds required by law may be executed by surety companies; judge may allow fiduciaries amount paid for surety; in all actions party entitled to costs to be allowed amounts paid surety company.

N. M. 41, 15 Mr

- 3841** Receivers and assignees and other fiduciaries required to give bonds may be allowed the sum paid surety company. Amending '97 art.2 ch.9.

Okl. 10 art.1, 10 Mr

- 3842** Premium on *guardian's, administrator's or school officials'* bonds may be included as expenses. Amending '97 ch.104 §2.

Wash. 42, 7 Mr

- 3843** Party recovering costs may include premium on bond not exceeding 2%. Amending R.S.'98 §1966 subdiv.36. Wis. 351, 4 My
- 3844** Premiums paid surety companies for signing bonds may be included in expenses of fiduciaries and public officers and be taxed as costs in actions. Wy. 9, 8 F
- 3845** Surety companies may be accepted on bonds of officers having custody of money; premiums paid from public funds. Wy. 94, 21 F
- 3846** Foreign companies. Permitting foreign surety companies to do business in state; restrictions; such companies may be accepted on bonds given for performance of any duty. Mon. p.82, 24 F
- 3847** Foreign stock surety companies to do business in state must have \$200,000 unimpaired capital, exclusive of stockholders' obligations; not to take any single risk larger than one tenth of net assets. Vt. 76, 30 N '98
- 3848** Foreign fidelity insurance companies to deposit \$100,000 in securities with insurance commissioners before being accepted on bonds by probate courts. Vt. 77, 30 N '98
- 3849** Credit insurance. Casualty insurance companies may indemnify merchants from loss by reason of giving credit to customers. Amending '92 ch.690 §70. N. Y. 693, 25 My

## Transportation. Communication

(See also Taxation, 1168; Corporations, 880; Liens, 1599)

### General

- 3850** Railroad commission consisting of three elected members created; road to post schedules in all stations; discrimination and pooling forbidden; express companies included in act. Ark. 53, 11 Mr; 119, 15 Ap
- 3851** State corporation commission created to have supervision over railroad, steamboat, canal, express, telegraph, telephone and sleeping car companies, building and loan associations and banks; to fix rates, prevent discrimination and collect license fees; rules; powers; to be a court of general jurisdiction. N. C. 164, 6 Mr; 642, 8 Mr; 688, 8 Mr
- 3852** Repealing '91, 320 establishing commission for supervision of railroad, steamboat, express and telegraph companies. N. C. 506, 6 Mr

**Transportation. Communication**

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- 3853 Amending the organization of board of internal improvements.  
(Code ch.38). N. C. 68, 10 F
- 3854 Foreign telegraph, telephone, express, insurance, steamboat and  
railroad corporations to become domestic before doing busi-  
ness in state; filing charter; fees; rights. N. C. 62, 10 F
- 3855 Regulating the incorporation and organization of railroad, steam-  
boat, street railroad and canal companies; fees; manner of in-  
crease of capital stock; charter perpetual unless expressly  
limited. S. C. 41, 28 F

**Railways. Common carriers**

- 3856 State railways. Commission established to represent state, as  
owner of Western & Atlantic railroad, in erection of union pas-  
senger station in Atlanta. Ga. p.77, 20 D '98
- 3857 Suits may be brought against the state as owner of the North-  
eastern railroad in certain cases; service on station agent.  
Ga. p.101, 22 D '98

**Organization. Property. Powers**

- 3858 Incorporation. Officers. Revision of Digest '94 §6148-50, 6176  
as to incorporation of railroads; creating state board to pass  
on applications for charters. Ark. 203, 8 My
- 3859 Petition for approval of railway company's articles of associa-  
tion to be filed with railroad commissioners; notice of hearing.  
Amending R.S. ch.51. Me. 117, 17 Mr
- 3860 Commission created to negotiate with all specially chartered  
railway companies for surrender of charters and reincorpora-  
tion under general laws. Mich. 172, 23 Je
- 3861 Roads organized under train railways act ('55, 148) major part  
of whose tracks are in city or village, exempt from provision  
allowing any person to use tracks on paying toll; such roads  
may unite with others, sell or lease franchises and acquire  
real estate. Mich. 132, 16 Je
- 3862 Railroad law amended as to election of officers and directors,  
place of meetings, power to construct branch lines and liability  
of persons holding stock as executor, trustee, etc.  
N. M. 29, 9 Mr
- 3863 Railroad corporations may purchase, lease or operate other rail-  
roads, or build connecting lines and branches. '90-91 p.124  
*reenacted to correct illegality in passage.* Id. p.81, 2 F
- 3864 Authorizing the building, lease and consolidation of railroads.  
S. D. 124, 21 F
- 3865 Stock. Bonds. Mortgages. Removing limitation on denomina-  
tions of railroad bonds [formerly not less than \$500]. Amend-  
ing C.C. §456. Cal. 50, 4 Mr

- 3866** Railroad companies in their annual report must state how much of their debt was occasioned by and how much capital stock was used for the purchase of steamboat lines. Amending G.L.'88 §3923. Ct. 31, 30 Mr
- 3867** Railroad mortgages, except purchase money mortgages, not to be issued without consent of railroad commissioners and holders of two thirds of stock. Amending '90 ch.585 §4. N.Y. 583, 12 My
- 3868** Amending '94 ch.346 §44 relating to increase or decrease of capital stock by domestic railway corporations. N. Y. 696, 25 My
- 3869** Provisions forbidding corporations to issue stock except for a consideration equal to par value *not applicable to railroad reorganization*. Amending R.S.'98 §1753. Wis. 193, 18 Ap
- 3870** Public aid. Levy and collection of tax to pay township bonds issued in aid of railroad prohibited; exceptions. S. C. 47, 6 Mr
- 3871** Consolidation. Sale. Lease. Foreign railroad corporations may buy, lease, etc. the property, franchise, etc. of a domestic railroad with which it is connected. Amending Code '96 §1169. Ala. p.28, 7 F
- 3872** Railroads may purchase or lease connecting lines. Col. 88, 1 Ap; 125, 18 Ap
- 3873** Venue of suit against railroad company for unlawful acquisition of competing line shall be in any county through which latter line runs. Amending Code '95 §2334. Ga. p.50, 21 D '98
- 3874** Railroads may guarantee bonds of other railroad companies. Supplementary to R.S.'87 pt 2 t.4 ch.2. '90-91 p.17 reenacted to correct illegality in passage. Id. p.10, 2 F
- 3875** Railroads may contract for running trains of one over road of another. Amending R.S. ch.55 §54. Me. 1, 27 Ja
- 3876** Foreign corporations leasing or purchasing railroads to be subject to tax laws; must comply with all laws governing foreign corporations; parallel lines not to consolidate. Amending G.S. §2714. Minn. 229, 15 Ap
- 3877** Railroad property and franchises may be transferred to any other corporation, which may operate and extend lines and exercise eminent domain. Nev. 20, 1. Mr
- 3878** Railroads may sell or lease their property or franchises. Okl. 10 art.2, 24 F
- 3879** Railroads not over 30 miles long may be leased for 10 years on approval of railroad commission. Tex. 52, 30 Mr
- 3880** Railroads may buy and sell property and franchises to other railroad corporations. U. 1, 17 Ja; 17, 6 Mr

- 3881 Railroad taking lease or conveyance of another line has all rights and liabilities of corporation leasing or conveying. Amending R.S.'98 §1833. Wis. 191, 18 Ap
- 3882 Railroads may purchase property or franchise of insolvent non-competing corporation whose line crosses or continues purchasing line. Amending R.S.'98 §1788. Wis. 198, 18 Ap
- 3883 Location. Right of way. (*See also* Condemnation proceedings, 2406; Eminent domain, 1594) Railroads may condemn land necessary for embankments, excavations, etc. or for protection of roadway. Amending Code '96 §1163. Ala. p.28, 15 F
- 3884 Repealing Digest '94 §2785 requiring railroad to secure written consent of two thirds of property owners before councils in towns and cities can grant right of way along streets. Ark. 8, 9 F
- 3885 Granting railroads right of way through state and school lands. Id. p.361, 28 F
- 3886 Map of railroad route to be certified by *president and secretary* [formerly majority of directors]; repealing clerk hire for board approving maps. Amending C.L. §6232. Mich. 180, 20 Mr
- 3887 Use by public of right of way and station grounds of any railroad shall not give right to continue to use. Ind. 209, 6 Mr
- 3888 Length of occupancy of land belonging to or adjoining a railroad not to create in nonowner any right to such land. E. I. 657, 5 My
- 3889 Trespass on railroad property, after notice is posted, forbidden. Amending P.S.'91 ch.266. N. H. 75, 11 Mr
- 3890 Railroads not to hold narrow pass to exclusion of other roads; joint use where only one track possible. Tenn. 399, 19 Ap
- 3891 Railroads authorized to extend lines through Indian territory. Tex. 17, 3 Mr
- 3892 Railroads may condemn land for water reservoirs, new right of way for change or relocation to shorten line or reduce grades; abandonment or change of line through city or town must be authorized by railroad commission. Amending R.S.'95 art.4445. Tex. 68, 25 Ap
- 3893 Pending litigation, railroad may take possession of condemned property on paying defendant awarded damages or depositing same in court and depositing equal amount and giving bond for farther costs. Amending R.S.'95 art.4471. Tex. 70, 15 Ap
- 3894 Notice of damage to property by railroad not required when action is brought within the year. Amending R.S.'98 §1816b. Wis. 307, 29 Ap



- 3895** Allowing railroads to exercise eminent domain in locating or relocating line and branches. Amending '88, 56. Wy. 34, 16 F
- 3896** Construction. Operation. Railroads organized under special acts may extend roads. Amending '87 ch.96 §2. Ma. 7, 10 F
- 3897** Extending for five years the time prescribed for commencement or completion of railroads which have acquired one third of their right of way or begun construction. Amending '95 ch.700 §1. N. Y. 647, 25 My
- 3898** Railroads may buy or build branch lines not over 15 miles to mine or quarry. Tenn. 259, 17 Ap
- 3899** Time for construction of railways extended two years; forfeited charters restored. Tex. 19, 3 Mr
- 3900** Railroad and warehouse commission may require uniform gage. Minn. 78, 20 Mr
- 3901** Bridges. Tunnels. Railroads may build bridges over navigable streams. '90-91 p.32 reenacted to correct illegality in passage. Id. p.20, 2 F
- 3902** Extending provisions of '73, 198 regulating incorporation and management of railroads to bridge and tunnel companies. 14p. Mich. 266, 23 Je
- 3903** Companies to bridge state boundary waters may incorporate; same powers and restrictions as railroads. Minn. 247, 18 Ap

**Traffic—general**

- 3904** Foreign railroad corporations connecting at state line with domestic corporations may establish terminals. Vt. 69, 19 N '98
- 3905** Railroad commissioners. Court of visitation consisting of three elective judges created; given extensive control over railroads; may establish classification and rates, prescribe equipment and service and decide all complaints; office of state solicitor created; court may appoint receiver for road failing to comply with its decree; supreme court may review decrees; penalty for discriminations; in case of strike court may summon corporation and if strike appears just may order road to at once resume operations; on failure to comply receiver may be appointed. Kan. 28, 3 Ja
- 3906** Board of railroad commissioners abolished. Parts of G.S.'97 ch.69,70 repealed. Kan. 29, 7 Ja
- 3907** Revision of '97, 35 as to railroad commissioners; commissioners vested with judicial power. Fla. 39, 3 Je
- 3908** Board of railroad commissioners abolished. Or. p.24, 15 O '98
- 3909** Railroad and warehouse commissioners to be chosen by people [formerly governor]; term four [formerly three] years. Amending '87 ch.10 §9. Minn. 39, 6 Mr

- 3910 Expense of enforcing orders of railroad commissioners to be paid from general fund. N. D. 131, 9 Mr
- 3911 Office of deputy railroad commissioner created. Amending G.L. ch.187. R.I. 879, 24 My
- 3912 Railroad commission may charge fees for furnishing copies of papers. Tex. 157, 29 My
- 3913 Per diem of chairman of railroad commissioners \$6 [formerly \$8]; of other commissioners \$5 [formerly \$8]. Vt. 132, 30 N '98
- 3914 Railroad commissioners to report to governor in *even* [formerly odd] years. Amending R.S.'98 §1795. Wis. 308, 1 My
- 3915 Commissioner of railroads to be paid in addition to salary *all expenses* [formerly \$3 a day]; accounts to be audited by *secretary of state* [formerly governor]. Amending R.S.'98 §1797. Wis. 321, 2 My

**Freight traffic**

- 3916 **Rates. Discrimination.** Unlawful for railway to raise rate on grain, flax, lumber, coal or live stock after same has been established 60 days except by consent of commission. Minn. 100, 27 Mr
- 3917 Railroad commission may [formerly after three days notice] *temporarily* alter existing freight rates, *tariffs, schedules, orders and circulars* on any railroad or part of railroad. Amending '97, 52. Tex. 174, 5 Je
- 3918 Railways to receive and transport freight from water craft without discrimination for or against other such craft; penalty \$500 to \$5000. Tex. 86, 12 Ap
- 3919 Officer or employee of railroad demanding or collecting greater or less compensation than company asks of other party for same service shall be imprisoned from two to five years; exceptions. Tex. 118, 16 My
- 3920 **Miscellaneous regulations.** Railroads whose rights of way join or are near each other may be required to connect their tracks for interchange of freight cars; cost. Repealing '97 p.95. Mo. p.128, 29 Ap
- 3921 Expense of building "Y" at grade crossing to be borne equally by each company; duty of railroad commissioners to prosecute action to compel construction. Amending R.C.'95 §3067. N. D. 130, 8 Mr
- 3922 Notice requiring railroad company to show cause why it should not be compelled to build platforms may be served on any agent of company in state. Amending R.C.'95 §3062. N. D. 128, 8 Mr
- 3923 Railroads on order of railroad and warehouse commission must build platforms for loading cars; hearing. Minn. 222, 14 Ap

- 3924 Railroads required to build sidetracks for certain shippers. S. D. 125, 6 Mr
- 3925 Railroad company, on shipper's application for 10 cars or less, shall furnish same in three days; 50 or more cars, in 10 days; if applications made on several days are filed on same day shipper to have 48 hours for loading each lot applied for. Amending R.S.'95 §4497, 4500. Tex. 48, 28 Mr
- 3926 Reenacting '82, 26 requiring railroads to deliver goods on payment of charges specified in bill of lading. Tex. 50, 29 Mr
- 3927 Suit for damage to property carried over two or more railroads may be brought against one or all in any county in which either operates; damages recovered against carriers not partners in contract shall be apportioned by verdict or judgment. Tex. 125, 20 My
- 3928 Live stock. In suits involving damage to live stock in transit the burden of proof is with railroad unless it furnished transportation to shipper both ways. Kan. 30, 9 Ja
- 3929 Owner of live stock transported over two roads may sue both jointly when uncertain which road caused delay. Minn. 311, 20 Ap
- 3930 Railroads to furnish free transportation to shippers of carloads of live stock; road refusing liable for damages and attorney's fee. Minn. 170, 11 Ap

Passenger traffic

- 3931 Tickets. Passes. Rates. Common carriers to designate ticket agents; unlawful for others to deal; unused tickets to be redeemed; felony to forge ticket. Fla. 41, 2 Je
- 3932 Sale of mileage books and limited tickets except by authorized agents forbidden; use restricted to persons named; companies to redeem unused portions in one year. Ma. 69, 14 Mr
- 3933 Tickets for passage on vessel or railroad train not to be sold except by authorized agent; unused tickets to be redeemed. N. Y. 506, '97. *Unconstitutional* in so far as it undertakes to prohibit the business of brokerage in passage tickets; violates constitutional guarantees of civil rights and privileges and of liberty. *People v. Warden of city prison*, 157 N. Y. 116.
- 3934 Requiring railroads to sell 1000 mile tickets for \$20; regulations. Amending '89, 202. Mich. '90, '91. *Unconstitutional*. Deprives company of its property without due process of law. *Lake Shore, etc. railway co. v. Smith*, 173 U. S. 684.
- 3935 1000 mile books to be sold at rate of 2c a mile; books for less than 1000 miles may be sold at higher price. Amending Vt.S. §3898-99. Vt. 70, 21 N '98

- 3968 **Railroad fencing. Killing stock.** Railroads to fence both sides of track except in towns or cities where not required by ordinance or in one mile of limits of city of 10,000.  
Fla. 45, 5 Je
- 3969 If railroad company fails to pay amicable award for damage to animals in 30 [formerly 10] days, injured party *may sue in county where injury was done for actual damages and court shall award double the amount.* Amending Digest '94 §6353.  
Ark. 49, 9 Mr
- 3970 Track overseer not filing report of stock killed liable to pay double for all unreported stock killed, to be collected as *other claims* [formerly as for stock killed]. Amending Code '95 §2250.  
Ga. p.49, 7 D '98
- 3971 Repealing Code '95 §2253-60 regarding notice to railroad company of claim for killing stock; trial, judgment, execution, appeal, levy, advertisement and sale, proceeds, tender of damages, suit by joint owner.  
Ga. p.50, 7 D '98
- 3972 When damages to stock have been agreed on by owner and railroad, railroad must pay within 40 days. Mo. p.124, 29 Ap
- 3973 **Miscellaneous.** Owners of land separated from highway by a railway may construct driveway across railway. Amending '85, 44. Ind. 212, 6 Mr
- 3974 Pushcars and other wheeled contrivances not to be run on railroad tracks except by employees. Or. p.188, 18 F
- 3975 Riding a bicycle or walking on roadbed of railroad forbidden.  
E. I. 613, 24 F
- 3976 Frogs, switches and guard rails must be filled and blocked by Oct. 1, 1899; company liable for damages resulting from neglect; penalty \$500 to \$2000. Wash. 35, 6 Mr
- Trains—management and safety.** (From standpoint of safe guarding. *See also* Construction, operation, 3896; Freight traffic, 3916; Passenger traffic, 3931)
- 3977 **Obstruction. Injury to equipment.** (*See also* Miscellaneous crimes, 2598) Amending Code '96 § 5378 prohibiting interference with trains.  
Ala. p.60, 3 F
- 3978 Unauthorized persons not to remove or interfere with signals connected with railroads. Ala. p.153, 3 F
- 3979 Unauthorized persons not to signal trains. Ala. p.157, 8 F
- 3980 Unlawful for unauthorized person to tamper with train, switch, track or signals. Fla. 43, 27 My; 44, 29 My
- 3981 Unlawful to signal train except at station or to prevent accident.  
Fla. 47, 29
- 3982 Unlawful to make or dispose of keys to unlock switchlocks or carlocks except by consent of the common carrier. '93 p.70 *reenacted to correct illegality in passage.* Id. p.182, 9 F

- 3983** If injury to railroad property injures person on train, person causing same shall be imprisoned one to 20 years; companies may request governor to appoint special police with powers of constables, to be paid by companies. Amending Code '91 ch.145 §31. W. Va. 55, 24 F
- 3984** Obstructing track, *boarding passenger train with intent to rob or commit other felony, placing dynamite on track, setting fire to bridge, punished with death or life imprisonment* [formerly 14 years imprisonment]. Amending '90 ch.73 §65. Wy. 49, 17 F
- 3985** Whistles. Air whistles may be used by railroads instead of steam whistles. Ct. 6, 15 Mr
- 3986** Stealing ride. Stealing ride on train forbidden. Ala. p.154, 23 F; Fla. 42, 29 My; Minn. 97, 25 Mr Mon. p.150, 24 F; N. C. 625, 8 Mr; N. D. 127, 27 F
- 3987** Miscellaneous. Unlawful to board moving train. Fla. 48, 2 Je
- 3988** Superintendent of motive power and master mechanic may reside where *principal shops* [formerly general offices] of railroad are located in the state; railroad commission may authorize subordinate officers to reside at any place on the line. Amending R.S.'95 art.4368. Tex. 105, 10 My

**Employees**

- 3989** Forgery in third degree to counterfeit receipt for railway employees' association dues or letter of recommendation. Minn. 23, 25 F
- 3990** Railroad companies not to permit trainmen to work more than 18 consecutive hours without eight hours for rest. Neb. 77, 1 Ap
- 3991** Railroad companies liable for all damages sustained by employees by reason of negligence of other employees; liability not impaired by contract; does not apply in construction of new road. N. D. 129, 6 Mr

**Rapid transit. Street railways**

- 3992** State board. Commissioner. General supervision of railroad commissioners over steam roads extended to all railways, by whatever power operated. Amending Vt.S. §3982. Vt. 74, 26 N '98
- 3993** Compelling street railway companies to report annually to railroad commissioner. Wis. 329, 3 My

**Organization. Property. Location. Powers**

- 3994** Incorporation. General. Street railroad law revised (R.S.'89 ch.155). Mo. p.374, 19 Je

- 3995 Special street railway charters made subject to Vt.S. ch.170 relative to filing description of proposed route and settlement of disagreements with local authorities by railroad commissioners and claims for damages by court; grade crossings with railroads. Vt. 72, 30 N '98
- 3996 Street railways under special charters have all rights conferred by general laws. Me. 100, 16 Mr
- 3997 Petition for approval of street railway company's articles of association to be filed with railroad commissioners; hearing; parties of record may appeal to supreme court. Amending '98, 268. Me. 119, 17 Mr
- 3998 Companies may accept law ('98, 580) for taxation and regulation of street railways, at any time prior to Oct. 16, 1899 [formerly Oct. 1, 1898]. E. I. 710, 20 S
- 3999 **Franchises. Location of tracks.** (*See also* Municipalities—franchisees, 2855; Taxation—transportation corporations, 1394) Street car companies may exercise eminent domain; franchises may be granted by city council for period of 20 years; control of streets reserved to city; repealing R.S. ch.66; '97 p.282 allowing 50 year franchise and 50 year renewal and regulating fares. Ill. p.331, 7 Mr
- 4000 Street railways in Indianapolis may surrender franchises and make contract with city not to exceed 34 years; fares not to exceed 5c, six tickets for 25c, 25 for \$1; city may make new contract at expiration, may purchase lines or open franchise to competition; suburban roads to use same tracks. Ind. 150, 3 Mr; 180, 4 Mr
- 4001 Cities not to grant right to lay tracks in streets except on petition of owners of more than one half the frontage. Mo. p.105, 27 Ap
- 4002 County commissioners may grant right to operate street railway on public roads outside of cities and villages, not over 25 years. Minn. 305, 20 Ap
- 4003 Street railways may exercise eminent domain outside cities. Minn. 350, 20 Ap
- 4004 Minor amendment to '98, 199 authorizing boards of chosen freeholders to improve highways and provide for construction of street railways thereon. N. J. 102, 22 Mr
- 4005 Extending right of eminent domain to electric railway companies. Wash. 94, 13 Mr
- 4006 **Bridges.** Law ('87, 334) as to examination of railroad bridges applicable to street railway bridges. Mass. 286, 20 Ap
- 4007 **Consolidation.** Street railroad companies having connected and continuous lines may consolidate. Ind. 165, 3 Mr

**4008 Transfers.** Transfer tickets to be used only by passenger entitled thereto.

Ct. 153, 1 Je; N. H. 83, 11 Mr; Wis. 125, 8 Ap

**4009 Miscellaneous powers. Regulation.** Unlawful to injure *street railway signals*. Amending P.S. ch.112 §207.

Mass. 252, 10 Ap

**4010 Stealing ride on street car forbidden.** Amending G.S. §6857.

Minn. 99, 25 Mr

**4011 Amending C.S.'97 §922a, 902b** forbidding street railway companies to carry municipal officers free; *firemen and policemen may* be carried free.

Neb. 11, 3 Ap

**4012 Providing for sale and disposition of property left in street cars.**

N. Y. 488, 2 My

**4013 Street railroads [formerly in cities of 500,000] may use sand and in winter, salt on their rails.** Amending '92 ch.676 §107.

N. Y. 491, 2 My

**4014 Minor amendment to railroad law ('90 ch.565 §100) as to motive power of street railroads.**

N. Y. 584, 12 My

**Protection. Safety**

**4015 Street cars to be comfortably heated from November to March inclusive; penalty \$25 to \$100 a day for each car.**

Ind. 129, 2 Mr

**4016 Limitation of speed in street to five miles an hour not applicable to railway cars; mayor and aldermen or selectmen may regulate speed of cars in streets.** Amending P.S.'91 ch.264 §18; ch.27 §7.

N. H. 61, 10 Mr

**4017 Guards. Brakes.** Street cars must be provided with fenders and brakes.

Cal. 150, 22 Mr

**4018 Required to equip cars with such fenders and guards as may be required by board of railroad commissioners.**

Vt. 73, 19 N '98

**4019 Crossings.** Provision governing railroad crossings applicable to *street and electric roads*. Amending R.S.'98, 1863a.

Wis. 306, 29 Ap

**4020 Employees.** Platforms of street cars to be inclosed during certain months.

N. H. 69, 10 Mr

**Other forms of transportation**

**4021 Express.** (*See also Railways—traffic, 3904*) Court of visitation to have same jurisdiction over express companies as over railroads.

Kan. 19, 6 Ja

Telegraph and telephone

- 4022 Telegraph and telephone companies may acquire right to construct lines along railroad rights of way. Amending G.S. §2604. Minn. 51, 11 Mr
- 4023 Proceedings for ascertaining and paying damages to property caused by telegraph and telephone companies to be the same as those for damages by railroad companies. Amending R.S.'89 ch.42 art.6. Mo. p.129, 15 My
- 4024 Telegraph laws (Code §207-12) amended to apply to telephone; other minor amendments. N. C. 64, 8 F; 84, 13 F
- 4025 Telegraph and telephone companies may obtain right of way by contract or condemnation; procedure. S. C. 40, 23 F
- 4026 Unlawful to maliciously cut or break telegraph or telephone wires, to obtain messages in any unauthorized manner or to delay messages. Amending R.S.'87 §7150-72. '93 p.90 reenacted to correct illegality in passage. Id. p.190, 9 F
- 4027 Amending Ann.S. §8173 relating to the divulging of telegraph or telephone messages. S. D. 134, 4 F
- 4028 Telegraph. Court of visitation to have same jurisdiction over telegraph companies as over railroads; charges fixed for service in the state. Kan. 38, 6 Ja
- 4029 Wire over public roads for bracing telegraph poles must be 15 feet from ground. Col. 85, 6 Ap
- 4030 Telephone. Foreign telephone companies to have special charter; superior court or judge to decide whether telephone is needed in any district; other regulations. Repealing G.L.'88 §1947, 3944-45, 3954. Ct. 158, 7 Je
- 4031 Not less than three [formerly nor more than nine] directors of telephone company to be bona fide stockholders. Amending '81 ch.101. Ind. 92, 24 F
- 4032 Telephone companies not to injure trees on highway nor interfere with running of railway trains; lines to be run along railways or established subdivision lines when owner objects to their crossing his lands. Amending C.L. §6691. Mich. 16, 9 Mr
- 4033 Telephone lines not on public places and highways or in cities and villages shall run along railways if adjacent to lands sought to be acquired; mode of acquiring right of way; applies only to lower peninsula. Supplementing C.L. §6688-95. Mich. 93, 31 My
- 4034 Counties, townships and municipalities empowered to grant right of way to telephone companies over public grounds and highways and to impose restrictions. N. D. 156, 9 Mr
- 4035 Penalty for injuring telephone posts. Amending Ann.S.'87 §1786. Or. p.4, 11 O '98



- 4036 Misdemeanor to injure property of telephone company. Amending Code '91 ch.145 §26a. W. Va. 47, 24 F
- 4037 County commissioners may purchase or construct telephone lines on petition of two thirds of taxpayers. Nev. 76, 14 Mr
- 4038 Cities, towns and villages may issue bonds for *telephone lines*; *counties may issue on submitting proposition to vote*. Amending R.S.'98 §942. Wis. 309, 1 My

**Navigation. Water ways**

- 4039 Improvement of water ways. Navigable streams may, on approval of state land commissioners, be deepened, straightened, etc. and dams built for the better handling of logs, barges and rafts; tolls may be collected; regulations. Id. p.332, 28 F
- 4040 Counties of 200,000 may spend \$5000 a year to improve navigable lakes. Minn. 56, 11 Mr
- 4041 In counties of 150,000 to 210,000 commissioners may spend \$3000 yearly to improve navigable lakes. Minn. 132, 5 Ap
- 4042 General act authorizing incorporation of canal and stream improvement companies. Wis. 288, 28 Ap
- 4043 Pilotage. Amending the licensing of pilots for Delaware river and bay; fees for pilotage. '91 ch.449 §3, 18. Del. 271, 8 Mr
- 4044 Pilot commissioners for Columbia river to be *appointed by governor* [formerly elected by legislature]; qualifications and compensation of pilot commissioner amended. Ann.L.'87 §3893; '93 p.10. Or. 11, 11 F
- 4045 Rates of pilotage to and from port of Philadelphia amended ('89 ch.210 §1). Pa. 19, 30 Mr
- 4046 Harbors. Wharves. Boards of supervisors may authorize railroads to build wharves and piers with license to take tolls. Cal. 251, 22 Mr
- 4047 Mooring to or injuring buoys, beacons, etc. prohibited. Ct. 58, 19 Ap
- 4048 Riparian owners may build piers, wharves and docks; not to obstruct navigation. Ind. 101, 24 F
- 4049 Public docks and piers may be built by cities; bonds may be issued. N. J. 47, 17 Mr
- 4050 Counties authorized to maintain ferry or *wharf, under control of county commissioners*. Amending '95, 130. Wash. 29, 6 Mr
- 4051 Generally amending '97 ch.89 §53 relating to leasing harbor areas. Wash. 122, 14 Mr
- 4052 Correcting error in R.S.'98 §676 as to power of county board to establish dock lines. Wis. 351, 4 My

- 4053 Canals. Ferries. Commissioners of Illinois and Michigan canal to have power to lease for 20 [formerly 10] years any water power or land connected with the canal; other minor amendments to R.S.'74 ch.19 §8. Ill. p.82, 21 Ap
- 4054 Court [formerly board] of claims to determine damages to persons from canals, *except claims for damages resulting from the navigation of the canals*. Amending '94 ch.338 §37. N. Y. 280, 7 Ap
- 4055 County boards of commissioners to grant or renew charters for ferries; regulations. S. C. 56, 15 F
- 4056 Miscellaneous regulations. Misdemeanor to put water hyacinths in navigable waters. Fla. 92, 11 My
- 4057 Water power companies may hold real estate for drydocks and canals; may dispose of real and personal property; may elect to pay 1% tax on capital stock in lieu of real estate general taxes. Amending C.L. §6797, 6802. Mich. 231, 9 Je
- 4058 Private boats not running for hire to carry lights and comply with rules for pilots and steamboats. N. H. 82, 11 Mr
- 4059 Misdemeanor to persuade or aid sailor to desert; municipal courts and trial justices have jurisdiction. Me. 53, 9 Mr
- 4060 Governor may appoint, on application of steamboat company, additional policemen for service on steamboats. Amending '90 ch.565 §58. N. Y. 539, 5 My
- 4061 Generally amending Code §3851-65 relating to wreck districts in certain counties; commissioners of wrecks and their duties. N. C. 79, 13 F
- 4062 Amending '91, 450 relating to license of persons engaged in business of loading vessels on contract. N. C. 595, 7 Mr

## Public health and safety

### General supervision

(See also Domestic animals, 4663; Dairy products, 4667; Pollution of water, 3014; Sewerage, 3067)

### Health boards

- 4063 State boards. Special tax of  $\frac{1}{2}$  mill for state board of health, other than quarantine expenses. Fla. 32, 1 Je
- 4064 Salary of live stock representative on state board of health to be fixed by board; not over \$125 a month. Amending '97, 46. Tenn. 424, 24 Ap

- 4065 Laboratories.** Board of health to establish a pathological and bacteriological laboratory at Delaware college for diagnosis of diseases and analysis of water without charge.

Del. 240, 23 Mr

- 4066** Board of health to establish a bacteriological laboratory for examination of water supplies, milk and food and the determination of suspected cases of contagious diseases; use of laboratory and all investigations therein free to people of state.

Vt. 115, 26 O '98

- 4067 Local boards.** Rules of state board of health to be sent to county boards and county commissioners and published in two papers in each county; local officer to be physician; compensation  $1\frac{1}{4}c$  for each inhabitant up to 100,000, not to exceed \$1500 [formerly fixed by local board]; state board may *remove* [formerly *fine and imprison*] for negligence; burial permits required; penalty for any violation \$10 to \$100. Amending '91, 15.

Ind. 16, 7 F

- 4068** Supreme and superior courts may enforce orders of boards of health. Amending '93, 460.

Mass. 143, 11 Mr

- 4069** One physician to be on town board of health when practicable. Amending '97 ch.45 §1.

N. H. 65, 10 Mr

- 4070** County boards of health to be appointed for *one* [formerly *two*] year; isolation of diseased animals, removal of dead bodies and condemnation of impure food removed from duties of superintendent; vacancies to be filled by appointment by *president of county board* [formerly *state superintendent*]. Amending R.C.'95 §245, 249, 252.

N. D. 58, 24 F

- 4071** Board of health in cities of 1,000,000 to consist of *three* [formerly *five*] members, and serve *four* [formerly *three*] years; other amendment to '85 ch.38 art.3.

Pa. 44, 12 Ap

- 4072** Generally amending '95, 258 creating bureau of health in cities of 100,000 to 1,000,000.

Pa. 113, 2 My

- 4073** Town boards of health to be under direction of *state health officer* [formerly *officers*]. Amending R.S.'95 art.1544.

Tex. 169, 5 Je

- 4074** Defining powers of boards of health as to nuisances, contagious diseases, quarantine regulations, burial permits and schools.

U. 45, 9 Mr

- 4075** Boards of health established in counties, cities and towns, consisting respectively of county commissioners, councilmen and trustees; each board to appoint physician as health officer; extensive powers.

Wy. 76, 21 F

**Vital statistics.** (*See also* Marriage—record, 3)

- 4076** Creating state bureau of vital statistics.

Fla. 33, 11 My

**Public health and safety**

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- 4077 Increasing penalties for failure of kindred, keepers of public institutions, physicians, midwives, health officers and clerks of district court to report vital statistics. Amending G.S. §437-39, 441. Minn. 337, 20 Ap
- 4078 Town clerk may retain certain fees for perfecting records of births, marriages and deaths. Amending '93, 16. N. H. 6, 14 F
- 4079 Copy of records of births, marriages and deaths to be transmitted *monthly* [formerly annually] to state registrar; if burial is not in town of death copy of death record to be sent to clerk of town of burial. Amending P.S.'91 ch.173 §4, 8. N. H. 17, 28 F
- 4080 Health officers of cities and superintendents of county boards to collect vital statistics; penalty for neglecting to give notice of births and deaths to such officers; physicians to furnish certificates; monthly reports to state board of health. Repealing G.S.'85 ch.63 §5; ch.137 §3-4. N. D. 169, 8 Mr
- 4081 Births, marriages and deaths not returned to proper recording officer are to be recorded when known by that officer. Amending G.L. ch.100. R. I. 616, 2 Mr
- 4082 Amending G.L. ch.100 §21 relating to collection of statistics of births. R. I. 621, 3 Mr
- 4083 Amending registration of vital statistics (Vt.S. ch.137). Repealing '96, 56. Vt. 58, 30 N '98
- 4084 Births to be reported by *physician, midwife or* parents. Amending R.S.'98 §1023a. Wis. 250, 26 Ap

**Sanitation. Nuisances. Miscellaneous**

- 4084 Dead bodies. When town board of health designates persons to grant burial permits, town clerk must be one of the persons. Amending '93 ch.661 §23. N. Y. 211, 1 Ap
- 4086 County commissioners may establish morgue in each city of 100,000 to 1,000,000; other amendments to '93, 327. Pa. 51, 18 Ap
- 4087 State board of health empowered to regulate transportation of dead bodies. Amending R.C.'95 §243. N. D. 30, 8 Mr
- 4088 Embalmers. Board of examiners for embalmers created; to be appointed by state board of health; examination; license; registration. Neb. 52, 2 Mr
- 4089 State board of health to examine and license embalmers; regulations. N. H. 76, 11 Mr
- 4090 State board of embalmers created; examination and licensing of embalmers. S. D. 87, 6 Mr

- 4091 State board of embalmers created, to be appointed by governor, two from each congressional district; registration, examination, licenses to embalmers; licensed embalmers must embalm all bodies, when required, no matter how contagious the disease, under penalty of \$50 to \$100 and 10 to 30 days imprisonment; misdemeanor to embalm without license; penalty \$25 to \$500 or imprisonment up to one year. **W. Va.** 60, 25 My.
- 4092 Barbers. Creating state board of barbers' examiners; examinations; persons in business for past two years to have certificate on filing affidavits. **Mich.** 212, 1 Je
- 4093 Board of examiners for barbers established; regulations; barbers to display certificates. **Mo.** p.44, 5 My
- 4094 Barber's examining board created; examinations; license; qualifications; barbers' schools. **Neb.** 53, 31 Mr
- 4095 Creating board of examiners for barbers; certificate to be displayed in shop; fee; apprentice may serve without certificate; board may revoke certificate. **Or.** p.237, 23 F
- 4096 Plumbers. Creating board for examining plumbers and granting licenses; applies to cities and to such towns as vote to accept. **N. H.** 55, 9 Mr
- 4097 Regulating license of plumbers in cities of 10,000; examination by board of public works and board of health; inspector of plumbing. **Wis.** 338, '97. *Partly void.* §2, providing that in the case of a firm or corporation the licensing of any one member shall be sufficient, discriminates in favor of firms as against plumbers doing business alone and violates constitutional provision that no state shall deny to any person the equal protection of the laws. *State v. Benzenberg*, 101 Wis. 172.
- 4098 Hotels. Lodging houses. State board of health shall inspect 10 room hotels on complaint as to sanitary conditions. **Fla.** 35, 11 My
- 4099 State board of health to inspect lodging houses in cities of 100,000 or more; regulations for such houses. Amending '77 p.208. **Ill.** p.355, 21 Ap
- 4100 Second hand bottles. Goods not to be sold in second hand bottles; beer, mineral water and milk excepted; bottles not to be gathered from garbage. **Pa.** 79, 28 Ap
- 4101 Nuisances—miscellaneous. New hospitals, pesthouses or burial grounds not to be established in built up portions of cities. **Pa.** 59, 20 Ap
- 4102 Towns of 5000 may forbid privy vaults on premises opposite sewer. **Mass.** 184, 24 Mr
- 4103 Supreme court may restrain illegal placing, maintenance or use of buildings; presumption against license. **Mass.** 326, 2 My

- 4104 Unlawful to leave refuse matter in city streets or near water used for drinking purposes. N. M. 64, 16 Mr
- 4105 District attorney on order of county supervisors to bring civil action to abate public nuisances. Cal. 88, 15 Mr
- 4106 Cities may regulate or suppress industries dangerous to public health. Amending R.S.'89 ch.31 art.1. Mo. p.96, 11 My
- 4107 Depositing carcasses of domestic animals so as to cause nuisance forbidden. Me. 39, 3 Mr
- 4108 Village councils may order removal of unwholesome substances at owner's expense. Minn. 331, 20 Ap
- 4109 Abatement of nuisances on information or petition amended (P.S.'91 ch.205 §4). N. H. 81, 11 Mr

### Contagious diseases

(See also Domestic animals—contagious diseases, 4563)

- 4110 **General regulations.** Suspicious cases of disease to be reported to state board of health *and to city health officer, or mayor, or county health physician or chairman of county commissioners; state health officer to take charge of contagious cases at state expense.* Fla. 34, 24 My
- 4111 School boards may make rules to prevent introduction and spread of contagious or infectious diseases; physicians to report cases to school board; board may appoint sanitary agent. Pa. 37, 11 Ap
- 4112 **Expense.** Creating emergency fund of \$1500 for suppression of epidemics and contagious diseases; to be expended under order of state board of health. Neb. 51, 20 F
- 4113 Contingent fund of \$50,000 for state board of health, to prevent spread of cholera or other contagious diseases. Wis. 24, 17 Mr
- 4114 **Hospitals.** Certain mining companies to erect pesthouses in which to care for employees affected with contagious diseases. N. M. 64, 16 Mr
- 4115 Cities of 250,000 may maintain, outside their limits, with approval of state board of health, hospitals for treatment of pulmonary tuberculosis; regulations. N. Y. 637, 23 My
- 4116 **Quarantine.** State health officer may establish quarantine in any part of state; powers of county, city and town officials subordinate to state officer; supervision of trains, boats, etc.; quarantine regulations. Ala. p.129, 23 F
- 4117 Physicians to cause patients having smallpox or other contagious disease to be quarantined. Ari. 29, 11 Mr

- 4118 Persons with contagious or infectious diseases to be isolated; children from household not to attend school till two weeks after recovery or removal of sick person; textbooks in such house to be disinfected. Id. p.451, 13 Mr
- 4119 Boards of health to assist persons in quarantine. N. H. 100, 11 Mr
- 4120 Vaccination. State board of health may order vaccination; penalty. S. C. 78, 28 F
- 4121 Tuberculosis. Physician to report all tuberculosis patients to local board of health; board to furnish to patients printed instructions to prevent spread of disease and to disinfect premises within five days after death. Wash. 71, 13 Mr

### Practice of medicine and surgery

(See also Medical schools, 474; Veterinary practice 4592)

#### Medicine

- 4122 General laws. Creating state board of eclectic medical examiners. Fla. 37, 4 My
- 4123 Physicians not graduates who have practised in state 15 years to be licensed. Fla. 36, 27 My
- 4124 State board of medical examiners created; license on approval of diploma and examination; rules of examination; may revoke license; unprofessional conduct defined; licenses to be recorded in county; fees. *Reenacting and amending '97 p.97, unconstitutional on account of illegality of passage.* Id. p.345, 3 Mr
- 4125 General law regulating practice of medicine. Repealing '87 p.225. Ill. p.273, 24 Ap
- 4126 Revision of '97, 169 regarding state board of medicine and surgery; changes in fees, bonds, salaries. Ind. 145, 3 Mr
- 4127 Creating state board of registration in medicine; 10 members; may be appointed from lists submitted by the four state medical societies; certificates to persons already registered, holders of diplomas from approved colleges and those passing examinations before the board. Repealing '83, 167; '87, 268. Mich. 237, 13 Je
- 4128 State board of medical examiners created; licenses to graduates of reputable medical colleges of United States, to holders of certificates in other states who have practised five years in this state and to persons passing state examination; graduates of foreign colleges to be examined; temporary certificate good till next meeting; revocation for unprofessional conduct; defining term "practising medicine". Neb. 73, 15 Mr

- 4129 State [formerly also county] medical societies may elect board of censors who shall examine and license practitioners in medicine, surgery and midwifery; applicants may be licensed after presenting diploma and taking examination. Amending Vt.S. §4630, 4633. Vt. 112, 22 N '98
- 4130 Graduates of Canadian medical colleges required to attend one course of lectures and pass final examination of a recognized medical college in United States. Vt. 113, 22 N '98
- 4131 State board of medical examiners established; certificates to graduates of reputable colleges; practitioners of 10 years, last five in Wyoming; all midwives to be examined. Repealing R.S. ch.1 t.34. Wy. 18, 14 F
- 4132 Miscellaneous regulations. Certificate to practise medicine may be refused for certain causes; rules for admitting physicians of other states. Amending '95, 40. Del. 241, 16 Mr
- 4133 State board of medical examiners to examine all applicants for license to practise *who have finished a three year medical course of study*; other amendments to Code v.2 ch.34; '89, 181. N. C. 93, 15 F
- 4134 Unauthorized medicine men not to practise among Indians; unlawful to give mescal bean to Indians. Okl. 12 art.2, 11 Mr
- 4135 Registration, removal or death of physicians to be reported by county clerks semiannually; graduates from outside state to be examined; fines to be paid to state board of medical examiners; materia medica and practice required. Amending '89, 178. Tenn. 148, 6 Ap
- 4136 Additional powers given to state medical examiners; registration of all persons practising July 1, 1897. Wis. 87, 30 Mr
- 4137 Osteopathy. Graduates of osteopathy schools to be granted certificates to practise; but osteopathy is not practice of medicine within the meaning of law. S. D. 118, 6 Mr
- 4138 Graduates of Kirksville, Mo. school of osteopathy may practise; diplomas filed with county clerks. Tenn. 394, 21 Ap

**Dentistry**

- 4139 Board of examiners created to examine and license dentists; regulations; fees. Id. p.387, 16 F
- 4140 General law regulating practice of dentistry. Repealing '87, 32. Ind. 211, 6 Mr
- 4141 Generally amending regulations for practice of dentistry (Ann.L.'87 §3339-48). Or. p.202, 20 F
- 4142 Diploma from dental college *not* to qualify for practice; other amendments to '85, 496. Del. 242, 23 Mr



- 4143 Temporary certificate to practise not to be renewed, extended or granted twice; penalty for unlawfully practising not over \$500 [formerly and not under \$25] *nor over 6 months*; any person may pull teeth *without anesthetics, where no regular dentist in place*. Amending R.S. §831-32. Fla. 79, 3 Je
- 4144 Amending '81 p.77 regulating practice of dentistry; fines to be paid to *state board of dental examiners* [formerly common school fund]. Ill. p. 272, 24 Ap
- 4145 Fee for certificate of qualification \$10 [formerly \$5]. Amending P.S.'91 ch.134 §4. N. H. 87, 11 Mr
- 4146 Amending penalty for practising without license (Criminal Statutes '93 §261). S. C. 68, 15 F
- 4147 Practice of dentistry (Vt.S. ch.191) amended as to notice of meeting of board of examiners, examination fee, temporary licenses, compensation of members of board and extracting of teeth by unlicensed person. Repealing Vt.S. §4646 and '96, 100. Vt. 114, 8 N '98

**Pharmacy. Sale of drugs.** (*See also* Local option, 57)

- 4148 **Regulating practice.** State board of pharmacy created; biennial registration of pharmacists; qualifications; examinations; unlawful to conduct pharmacy unless registered pharmacist in charge. Ind. 108, 1 Mr
- 4149 Revision of law as to apothecaries; practice of pharmacy and sale of drugs. Me. 96, 16 Mr
- 4150 Generally amending '85, 147; '91, 104 as to practice of pharmacy. Minn. 34, 3 Mr
- 4151 Generally amending law relating to practice of pharmacy. Wash. 121, 14 Mr
- 4152 Members of board of registration in pharmacy shall serve not over five consecutive years; not over one member to be interested in business in same *councilor district* [formerly city or town]; applicants may be reexamined *after three months*. Amending '96 ch.397 §1. Mass. 422, 26 My
- 4153 Compensation of commissioners of pharmacy amended (P.S.'91 ch.135 §8). N. H. 68, 10 Mr
- 4154 *State* [formerly county] board of pharmacy to receive penalties paid for violation of law relating to the licensing of pharmacists. Amending '93 ch.661 §190. N. Y. 364, 18 Ap
- 4155 Amending requirements for registered pharmacists ('97 ch.28 §2). Okl. 23, 13 Mr
- 4156 Pharmacists having dispensed for five years prior to act exempt from examination. Amending '93 ch.39 §5. Tenn. 285, 22 My

- 4157 Increasing fees of applicants for registration as pharmacists; registration to be renewed *annually* [formerly biennially]. Amending R.S.'98 §1719-20. U. 33, 9 Mr
- 4158 Sale of drugs. Morphine, cocaine, etc. to be sold only on physician's prescription. Ari. 52, 16 Mr
- 4159 Revision of Digest '94 §6004-8 as to sale of poisons; *cocaine to be sold only on prescription; phosphorus and morphine* must be labeled "poison;" penalty \$25 [formerly \$5] to \$100; registration of sales repealed. Ark. 147, 8 My
- 4160 Defining term "usual domestic remedies"; poisonous drugs to be sold by general stores in sealed packages only, labeled with pharmacist's registry number. Amending R.S.'98 §1409g. Wis. 289, 28 Ap

## Food. Drugs. Adulteration

(See also Dairy products, 4657)

- 4161 General. General law relative to food adulterations and imitations; office of state food commissioner created. Ill. p.368, 24 Ap
- 4162 General pure food and drugs law; state board of health to enforce; state health officer to be state inspector. Ind. 121, 28 F
- 4163 Food commission created; governor made commissioner; may appoint deputy food commissioner; to test butter, cheese, milk, cider, vinegar, etc.; manufacturers and wholesalers to report monthly; license fees. Neb. 35, 8 Ap
- 4164 Generally amending '95, 122 to prevent adulteration and misbranding of foods; examination by board of agriculture. N. C. 86, 13 F; 369, 3 Mr
- 4165 Analyses to be made of food products on sale in state, or kept for export, suspected of being adulterated. Amending '95 ch.235 §4, 5. Ct. 22, 23 Mr
- 4166 Penalty for food adulteration \$25 [formerly \$100] to \$500 or not over 90 [formerly 30 to 90] days or both. Amending '98 ch.193 §19. Mich. 117, 15 Je
- 4167 Unlawful to obstruct dairy and food commissioner, deputy or inspectors, or to refuse to sell samples for analysis. Mich. 167, 23 Je
- 4168 Prosecuting attorney to render all legal assistance in his power [formerly prosecute to completion] suits brought by dairy and food commissioner. Amending '97, 154. Mich. 268, 23 Je
- 4169 Use of certain chemicals in food preparations unlawful. Mo. p.170, 11 My

- 4170 State board of health to cause to be analyzed samples of coloring matter designed for use in food products; manufacture, sale or use of poisonous coloring matter forbidden. Amending '93 ch.338 art.2. N. Y. 518, 4 My
- 4171 Dairy and food commissioner to be elected by *electors* [formerly by legislature] for *four* [formerly two] years; food adulteration law amended. '93 p.99. Or. p.46, 16 F
- 4172 Adulterated food to be labeled so as to indicate adulteration. S. D. 89, 28 F
- 4173 Duties of dairy and food commissioner amended (R.S.'98 §2447). U. 41, 9 Mr
- 4174 Defining adulteration of food; dealers to furnish samples for analysis on tender of payment by any person; state dairy and food commissioner; extra compensation \$300. Wash. 113, 13 Mr
- 4175 Candy. Adulterated candy not to be made or sold. Del. 267, 9 Mr; Id. p.398, 16 F; Ind. 156, 3 Mr; N. H. 26, 1 Mr Or. p.45, 16 F
- 4176 Amending Pen.C.'95 §702 relating to adulteration of candy. Mon. p.151, 22 F
- 4177 Beer. Wine. Creating office of inspector of beer and malt liquors; appointed by governor for four years with consent of senate; salary; fees to be paid into state treasury; regulations. Mo. p.228, 4 My
- 4178 Regulating sale of domestic wine; governor to appoint inspector. Ark. 80, 29 Mr
- 4179 Vinegar. Preventing adulteration of vinegar and regulating its sale. Id. p.368, 9 Mr
- 4180 Amending regulations concerning sale of vinegar (R.S.'98 §4284-85). U. 63, 9 Mr
- 4181 Miscellaneous. Weight of flour and meal to be put on bag or package. Del. 270, 23 F
- 4182 Misdemeanor to sell injurious baking powder; ingredients to be labeled on package. Amending '89, 7. Minn. 245, 18 Ap
- 4183 Inspection to prevent shipment and sale of unripe watermelons abolished. Repealing '95 p.188. Mo. p.232, 22 Ap
- 4184 Unlawful to sell adulterated natural fruit juices as pure juices. N. Y. 343, 17 Ap
- 4185 Unlawful to use part of unhealthy animal in preparation of food, or to expose for sale; use for other purposes must be licensed by state board of health. Minn. 175, 11 Ap
- 4186 Fee for beef inspection to be paid by person killing; penalty. Amending '91, 39. Fla. 87, 3 Je
- 4187 Boards of health to regulate sale of horse flesh for food. N. J. 197, 24 Mr

## Public safety

## Explosive substances

- 4188 Railroad commissioners to make regulations for transportation of explosives; notice. Ct. 8, 15 Mr
- 4189 Illuminating oils. Gases. Governor to appoint inspector of petroleum oil; deputies; duties; fees. Col. 121, 14 Ap
- 4190 Office of state inspector of oils created; appointed by governor for term of two years; deputies; tests prescribed; adulteration prohibited; fees; monthly reports to auditor. Kan. 170, 6 Mr
- 4191 Revision of law as to inspection of illuminating oils. Mich. 26, 30 Mr
- 4192 Penalty for not labeling gasoline, benzine or naphtha \$100 or 3 months or both; size of letters; state oil inspector to enforce. Amending '89, 146. Mich. 181, 12 Ap
- 4193 Unlawful to adulterate kerosene; or to sell or use illuminating oil giving off combustible vapor under 120° F. unless in reservoirs outside building or in brass 18 inches from flame. Mich. 241, 15 Je
- 4194 Revision of law as to inspection of oils. Tenn. 349, 21 Ap
- 4195 Petroleum inspector in cities of 300,000 to retain no more than \$7000 fees; surplus, if any, to go to state treasury. Amending R.S.'89 §5575. Mo. p.231, 19 My
- 4196 Amending the standard of petroleum oil and gasoline and the regulations concerning their sale and inspection (C.L.'97 §2640-41, 2644). N. M. 12, 16 F
- 4197 Compensation of state oil inspector \$2500 [formerly fees]; deputies to be paid by him; five ports of entry. N. D. 117, 8 Mr
- 4198 Amending '95, 36 relating to manner of testing oils, etc. Okl. 21, 8 Mr
- 4199 Oil inspection fees to be paid to state treasurer quarterly; inspectors in cities to have salary in proportion to population [formerly fees]. Amending '77, 68. Tenn. 13, 23 Mr
- 4200 Persons having oil inspected shall report quarterly to controller of the treasury quantities, fees paid, dates and names of inspectors; 10c a hundred words in report; misdemeanor to neglect. Tenn. 282, 22 Ap

## Boilers. Engines

- 4201 Boiler inspection. Engineers. Repealing '93 p.40 creating office of state boiler inspector and providing for examination of engineers. Id. p.180, 9 F
- 4202 General law as to licensing of engineers and firemen. Mass. 368, 12 My

- 4203 In cities of over 1,000,000, boiler inspector is to examine and license engineers; regulations; exceptions. Pa. 50, 18 Ap
- 4204 Stationary steam boilers to be provided with low water alarm, on order of chief factory inspector. Mich. 209, 25 My
- 4205 *Seven* [formerly five] boiler inspectors; *heating plants in residences excepted from act.* Amending '89, 253. Minn. 91, 22 Mr
- 4206 **Steamboats. Vessels.** Inspection of *electric, naphtha, gasoline* or steamboats used for carrying passengers or freight. Amending P.S.'91 ch.119. N. H. 56, 9 Mr
- Buildings. Fire protection.** (*See also* Fire department, 296; Factory inspection, 340)
- 4207 **Architects.** Minor amendments to '97 p.81 prescribing organization of state board of examiners of architects. Ill. p.78, 19 Ap
- 4208 **Buildings. Inspection.** City building inspection law applicable to towns. Amending '94 ch.481 §14. Mass. 139, 11 Mr
- 4209 Inspector of buildings of city may be appointed for term of not more than *two* [formerly one] years. Amending '86 ch.216 §4. N. J. 11, 8 Mr
- 4210 Bureau of building inspection created; general law regulating construction and inspection of buildings in cities of 1,000,000. Pa. 123, 5 My
- 4211 **Fire protection. Escapes.** State insurance commissioner in city of Raleigh and fire chiefs and aldermen in other cities and towns to investigate origin of fires; local officers to report to state commissioner and he may investigate; state commissioner and local officers may inspect buildings and order removal of combustible material or inflammable conditions. N. C. 58, 9 Mr
- 4212 Cities of 300 to 500 may establish fire limits when authorized by two-thirds majority. Wash. 103, 13 Mr
- 4213 School buildings two stories or over to have fire escapes. Cal. 45, 2 Mr
- 4214 Hotels over two stories to have fire escape for every room; annual inspection by chief engineer of fire department. Fla. 90, 2 Je
- 4215 General law relating to fire escapes. Repealing '97 p.222. Ill. p.220, 21 Ap
- 4216 Fire escape regulations; to be enforced by the chief of the department of inspection of the state. Ind. 207, 6 Mr
- 4217 Fire escapes to be provided for certain buildings; commissioner of labor to serve notice on delinquent owners and to supervise construction of fire escapes. Repealing C.S.'97 §3293-96. Neb. 34, 3 Ap

- 4218 Additional fire escapes to be used in buildings three or more stories in hight and accommodating 30 or more persons; inspector. **N. J. 162, 24 Mr**
- 4219 Rope fire escapes to be provided in all hotels over two stories; iron stairs if over three stories. **Tenn. 178, 25 Mr**
- 4220 Reenacting law as to fire escapes (R.S.'98 §1636e) [the second of two sections erroneously numbered alike]. **Wis. 351, 4 My**
- 4221 **Fire breaks.** Townships in counties of less than 5000 may maintain fire guards to prevent spread of prairie fires; overseer to plow the strips; poll tax may be paid in work on fire guards. **Kan. 99, 4 Mr**
- 4222 County commissioners, on petition of one tenth of voters, shall levy tax of 5 mills for fire break fund; fire wardens to be paid not over \$3 a day. Amending '91, 93. **N. D. 122, 24 F**
- 4223 **Forest fires.** Act relative to fire wardens. **Pa. 14, 22 Mr; Wis. 353, 4 My**

**Electricians. Wires**

- 4224 State board of electricity created; all electricians in counties of 125,000 to be registered; qualifications; interstate telegraph and telephone employees exempt. **Minn. 312, 20 Ap**
- 4225 Tags or marks designating owner not required on street railway wires *except feed wires attached to poles carrying wires of other company.* Amending '90 ch.404 §2. **Mass. 320, 29 Ap**
- 4226 Regulating use of wires over streets and buildings; towns may appoint inspectors. **Mass. 337, 4 My**

**Miscellaneous**

- 4227 Repealing '83 p. 63 authorizing any city, town or village to protect its site from inundation. **Ill. p.102, 24 Ap**
- 4228 Superior court has jurisdiction in equity to prevent unlawful blasting. **Mass. 242, 10 Ap**
- 4229 Persons cutting ice shall put up signals *and barricades; harbor masters, supervisors or assessors shall enforce.* Amending C.L. §11,525-26. **Mich. 221, 1 Je**
- 4230 Protecting the life saving appliances of humane associations. **N. Y. 327, 17 Ap**
- 4231 Unlawful, without consent of magistrate, to sell or give an air-gun or spring-gun to person under 12. Amending Pen.C. §409. **N. Y. 603, 16 My**
- 4232 Unused coal mines and dry wells to be filled up or securely covered; township overseers to cause same to be done after 30 days notice to owner. **N. D. 43, 9 Mr**

## Trade. Industries. Mining

(See also Trusts and combinations, 1043)

### Domestic trade. Weights and measures

(See also Corporations, 880; Business taxes, 1411; Negotiable instruments, 1671)

- 4233 **Exchanges. Boards of trade.** Authorizing incorporation of cotton exchanges, chambers of commerce and boards of trade. Amending R.S.'95 art.642. Tex. 43, 4 Ap
- 4234 **Dealing in futures prohibited.** Kan. 77, 4 Mr
- 4235 **Commerce.** Amending powers of commission appointed to inquire into condition of commerce of New York city ('98 ch.644 §1). N. Y. 494, 2 My

### Warehouses. Commission merchants

- 4236 **Warehouses. Storage of goods.** Regulating storage of grain, flour, wool, etc.; receipts; mixing grades forbidden without consent. '90-91 p.12 reenacted to correct illegality in passage. Id. 7, 2 F
- 4237 **General public warehouse law; office of chief inspector of grain created; warehouses to be licensed; board of commissioners created to consist of territorial secretary, auditor and attorney general; duties.** Okl. 27, 10 Mr
- 4238 **At places for storing and weighing cotton for pay, a record must be kept of the cotton and the person for whom weighed.** Ala. p.99, 21 F
- 4239 **Railroad and warehouse commissioners to be chosen by people [formerly governor]; term four [formerly three] years. Amending '87 ch.10 §9.** Minn. 39, 6 Mr
- 4240 **Reenacting '89 ch.192 §5 forbidding warehouse men and their deputies who are inspectors to deal in tobacco.** Tenn. 225, 13 Ap
- 4241 **Warehouse receipts issued by owner to himself on goods stored have same force as those issued to others. Amending R.S.'98 §4425.** Wis. 146, 10 Ap
- 4242 **General act regulating issue of warehouse certificates.** Wis. 251, 26 Ap
- 4243 **Regulating sale of unclaimed baggage in warehouses, stations, hotels, boarding houses, etc.** Ari. 47, 16 Mr
- 4244 **All claimants to property held by public warehouse men and other depositories may be made defendants; holder may retain property till final judgment.** Mass. 352, 9 My
- 4245 **Grain warehouses and inspection. Creating board of appeals for grain inspection.** Minn. 199, 13 Ap

4246 Grist mills except those doing custom or exchange business are public warehouses. Amending R.C.'95 §1786.

N. D. 126, 21 F

4247 Stock yards. Ton of hay sold by stock yard companies must be 2000 pounds; bushel of corn in ear, 70 pounds, and bushel of shelled corn, 56 pounds; price must not be more than twice the *wholesale* [formerly retail] price.

Kan. 86, 6 Ja

4248 Commission merchants. Licensing and regulating commission merchants; creating state board of inspectors of commission merchants.

Ill. p.864, 24 Ap

4249 Commission men and brokers to be licensed and give \$5000 bond.

Mich. 251, 15 Je

4250 Regulating commission merchants; licenses; bonds for consignors' benefit, amount to be fixed by railroad and warehouse commission.

Minn. 225, 14 Ap

4251 Fixing commissions and charges for selling leaf tobacco on the floor of warehouses.

S. C. 63, 2 Mr

4252 Commission merchant selling tenant's crop to pay debt to himself is liable as purchaser to person entitled to the rent.

Tenn. 22, 24 F

#### Weights and measures

4253 General. Person who, without previous agreement, requires more pounds for a bushel than is prescribed by law guilty of misdemeanor.

N. Y. 515, 4 My

4254 Sealers. Public scales. State secretary to be ex officio state sealer of weights and measures; county auditor to be county sealer of weights and measures; testing; fees; weight of standard bushel. '90-91 p.204 reenacted to correct illegality in passage.

Id. p.142, 9 F

4255 Revision of laws relating to sealers.

Ma. 58, 11 Mr

4256 Generally amending law relating to public weighers (R.S.'95 t.90).

Tex. 155, 27 My

4257 Amending 85,144; '91, 99 relating to state weighmasters of grain; certificates of weighmaster to be conclusive evidence. Minn. 130, '93. *Partly void*. In so far as the act seeks to make such certificates of weight conclusive it deprives a person of his day in court to vindicate his rights. Vega S. S. Co. v. Consolidated elevator co. 77 N. W. 973.

4258 Amending appointment of public weighers (G.L. ch.167 §21-22).

R. I. 611, 24 F

4259 Sealing of weights and measures amended (G.L. ch.167 §12, 16).

R. I. 615, 28 F

4260 State, city and town sealers to be special constables. Amending G.L. ch.167.

R. I. 669, 24 My



- 4261 **Special commodities.** Fee for weighing cotton in cities or towns 10c a bale, except October to January 5c. Ark. 83, 29 Mr
- 4262 Providing penalty for violation of '95 ch.321 §6 relating to weight of bushel of grain, etc. Ct. 149, 1 Je
- 4263 Fixing dimensions of bushel tub for measuring oysters. Del. 248, 23 F
- 4264 Beets for shipment to sugar manufactory may by agreement be weighed at station of shipment by person appointed by commissioner of agriculture. Amending '97 ch.500 §75. N. Y. 101, 17 Mr
- 4265 Fixing dimensions of standard barrel of apples; barrel of potatoes to be 174 [formerly 172] pounds. Amending '96 ch.376 §9. N. Y. 317, 17 Ap
- 4266 Fixing size of quart, pint and half-pint packages for measuring small fruits; smaller packages to be marked short. N. Y. 509, 3 My
- 4267 Wheat to be measured only in standard half-bushel stroked with square straight stick; custom mills exchanging flour for wheat excepted. Tenn. 283, 22 Ap
- 4268 Cord of hemlock bark weighs 2240 pounds. Amending R.S.'98 §1665. Wis. 282, 27 Ap

**Trade marks. Union labels**

- 4269 Protecting corporations and associations of workmen in the right to exclusive use of trade marks, labels, etc.; to be filed with secretary of territory. Ari. 19, 6 Mr
- 4270 Forbidding use of counterfeit trade marks, labels, etc.; marks may be filed with secretary of state; regulations; penalties. Col. 154, 10 Ap
- 4271 Protecting labor organizations in the exclusive use of their seals and labels; labels may be filed. Del. 266, 8 Mr
- 4272 Trade marks, labels, etc. may be recorded with secretary of state; counterfeiting or unauthorized use of labels and marks forbidden; penalty. '97 p.123 reenacted to correct illegality in passage. Id. p.316, 18 F
- 4273 General law for regulation and protection of trade marks. Vt. 158, 22 N '98
- 4274 Trade marks and union labels filed with secretary of state; protection of owners' rights. Wy. 5, 7 F
- 4275 Misdemeanor to obliterate trade mark. Cal. 71, 9 Mr
- 4276 Misdemeanor to sell package bearing another's trademark, or to refill without consent. Cal. 87, 14 Mr
- 4277 Unlawful to counterfeit trade marks, labels, trade names or forms of advertisement, or to use such imitations, or display genuine marks without authorization. Ga. p.108, 20 D '98

- 4278 Minor amendment to '91 p.202 protecting labels and trade marks of workmen's unions. Ill. p.367, 22 Ap
- 4279 Court may issue warrants to search for counterfeit trade marks, dies or plates or fraudulently stamped goods. Amending P.S. ch.212 §2. *Firm or corporation* may adopt trade mark; misdemeanor to sell or possess counterfeit or plates or dies of trade mark. Amending '95, 462. Mass. 359, 11 My
- 4280 Amending P.C.'95 §3161-62 relating to recording of trade marks; *secretary of state* [formerly general recorder of marks and brands] to keep record. Mon. p. 103, 25 F
- 4281 Trade mark law (Ann.L.'87 §1804) amended so as to include use of empty or second hand packages with intent to deceive. Or. p.94, 17 F
- 4282 Bottles, barrels, etc. Trade marks and devices for use on bottles, siphons and boxes to be filed with clerk of superior court and state secretary; penalty for unlawful use; search warrant; presumptive evidence. Repealing '95, 93. Ct. 201, 20 Je
- 4283 Makers and venders of mineral waters, beer, ale, etc. in bottles to be protected in exclusive use of brands and marks; registry. Del. 268, 26 Ja
- 4284 To protect manufacturers, bottlers and dealers in ale, porter, lager beer, soda, mineral water and other beverages from loss of casks, bottles, boxes, etc.; mark or stamp may be filed with secretary of state; owner may secure search warrant. Ill. R.S. ch.140, '74. *Unconstitutional*. Special legislation in that it does not apply to all persons dealing in products requiring casks, bottles, boxes, etc. and it allows an unreasonable search in that it substitutes mere belief of affiant for discretion of magistrate in securing of search warrant. Lippman v. People, 175, Ill. 101.
- 4285 Owners of cans, bottles and other vessels used in trade may record brand or mark; unlawful for others to use marked vessels; search warrant. Repealing G.L. ch.164. R. I. 627, 3 Mr
- 4286 Taking deposit on bottles or kegs not deemed a sale. Amending '95, 144. Minn. 306, 20 Ap

**Legal holidays**

- 4287 Certain days declared legal holidays. N. H. 11, 15 F
- 4288 Legal holidays to be January 1, February 22, July 4, May 30, December 25, labor day, national or state election days, all days recommended by governor or president of United States; if falling on Sunday, next day to be observed; when time for any official act falls on holiday next secular day shall be intended. W. Va. 13, 21 F

- 4289 January 1, December 25 and February 12 declared public holidays. Amending G.S. §7987. Minn. 165, 11 Ap
- 4290 Saturday afternoon a legal holiday. Amending '89, 63. Tenn. 162, 24 Ap
- 4291 New Years day to be legal holiday. Amending '96, 334. R. I. 612, 24 F
- 4292 Labor day. Making the first Thursday in September legal holiday. Amending Code §3784. N. C. 410, 6 Mr
- 4293 First Monday in September made legal holiday. Vt. 51, 26 N '98
- Miscellaneous**
- 4294 Trading stamps. Trading stamps prohibited. N. H. 60, 9 Mr; R. I. 652, 3 My; Vt. 123, 15 N '98
- 4295 Trading stamp companies to pay \$500 privilege tax in each county; firms using, \$250. Amending '97, 2. Tenn. 27, 3 Mr; 207, 7 Ap
- 4296 Slot machines. Slot machines prohibited. N. Y. 655, 25 My; Or. p.250, 24 F
- 4297 Transient merchants. Bankrupt stocks. Unlawful to traffic in anything, except at regular place of business, within one mile of religious assemblage, fair, picnic, or cemetery during Memorial day exercises. Amending R.S.'94 §2196. Ind. 79, 24 F
- 4298 Amending licensing of transient retail merchants ('89, 82; '93, 31). Pa. 106, 2 My
- 4299 Auctioneers. Brokers. Auctioneers to pay license of \$20 a year or \$5 a month [formerly \$10 a month]. Amending R.S.'87 §1642. Id. p.377, 28 F
- 4300 Auctioneer's license to be signed by city or town clerk [formerly aldermen or selectmen]. Amending P.S. ch.67 §1. Mass. 235, 1 Ap
- 4301 Hawkers and peddlers. License fee increased; other amendment to '93, 83. Ari. 12, 24 F
- 4302 When license of itinerant vendor is lost deposit may be repaid on proof of such loss. Amending '97, 152. Ct. 85, 27 Ap
- 4303 Book agents must procure license; peddlers of pianos, organs, wagons and sleighs exempt; dealers paying \$25 tax on stock may peddle in own town without license. Amending '89, 298. Me. 26, 1 Mr; 129, 17 Mr
- 4304 Any person may sell ice from town to town. Amending P.S. ch.68 §1. Mass. 260, 10 Ap
- 4305 Itinerant jobbers to have licenses in all townships, villages or cities not having ordinance. Mich. 259, 23 Je

- 4306 Itinerant trading defined; unlawful without license wherever same is required; county commissioners and city councils may require licenses. Nev. 89, 14 Mr
- 4307 Town board may not prohibit peddling of dry goods, drugs or articles of food without a license, where all sales are wholly or partly by barter. Amending '98 ch.538 §184. N. Y. 314, 13 Ap
- 4308 Peddler's license fee \$25 to travel on foot, \$100 with one horse, \$150 two or more horses [formerly uniformly \$50]; application in writing; county auditor to keep record. N. D. 118, 24 F. *Unconstitutional*. Does not state purpose of tax, nor to what the revenue is to be applied. State v. Kleetzzen, 78 N. W. 984.
- 4309 Peddlers of clocks, farm implements, cooking stoves, vehicles, washing machines and churns to pay annual tax of \$250 in each county where occupation is pursued; other peddlers \$5 to \$10 a year. Tex. 116, 12 My
- 4310 Person going from town to town carrying to sell goods "which are the manufacture of this state" is a peddler; license; regulations. Vt. S. ch.198 '94. *Unconstitutional*. Imposes a discriminating tax on goods made in the state and in favor of foreign goods; denies equal protection of the laws. State v. Hoyt, 42 A. 973.
- 4311 Peddler must show license at request of treasury agent, *sheriff, policeman, marshal, constable or peace officer*; failure is *prima facie* evidence that no license has been obtained. Amending R.S.'98 §1576. Wis. 52, 23 Mr
- 4312 Correcting error in R.S.'98 §1576 as to refusal to show license. Wis. 351, 4 My
- 4313 Pawnbrokers. Junk and second hand dealers. Corporations may be formed to conduct pawnshops in cities of 250,000; governor and mayor shall each appoint one director; charges and regulations. Ill. p.120, 29 Mr
- 4314 Dealers in second hand bicycles, junk, old metals, etc. to be licensed; weekly statement. Repealing G.L.'88 §183; '93, 161. Ct. 109, 11 My
- 4315 Pawnbrokers to pay license; pawnbrokers, second hand and junk dealers to report daily to chief of police; regulations. Neb. 10, 3 Ap
- 4316 Keepers of junk shops and second hand dealers in cities to keep record of purchases in English; police and detectives to have access to books. Pa. 36, 11 Ap
- 4317 Unlawful to buy or receive junk, rope, iron, brass, etc. from minors and unknown parties. Pa. 143, 5 My
- 4318 Junk dealer to purchase nothing but rags from minor under 18 without parent's written consent. Wis. 41, 23 Mr

- 4319 **Licenses.** Lodging house keepers to be licensed. Ct. 125, 31 My
- 4320 Requiring gypsies to pay license fee under penalty of forfeiture of property. Del. 167, 16 Mr
- 4321 Minor amendment to '95, 101 regarding sale of pork and beef without license. Nev. 19, 23 F
- 4322 Dealers in long cotton, known as sea island cotton, in the seed, to pay license of \$50. S. C. 62, 28 F
- 4323 **Miscellaneous regulations.** Penalty for buying seed cotton between sunset and sunrise not over \$500 or not over one year. Amending R.S. §2707. Fla. 76, 22 My
- 4324 Prohibiting publication of lists of debtors; does not apply to fiduciaries and public officers. Me. 112, 17 Mr
- 4325 Misdemeanor for debt collector to wear unusual or striking costume. Mass. 238, 6 Ap
- 4326 Unlawful to sell adulterated linseed oil; packages to be labeled. Mich. 208, 25 My
- 4327 Misdemeanor to make untrue statements in advertisement of merchandise. Mich. 245, 15 Je
- 4328 Regulating sale of white lead and mixed paints, to prevent adulteration: food and dairy commissioner to enforce. Minn. 244, 18 Ap
- 4329 Territorial commerce commission created; wholesale and retail licenses for sale of coal oil required; commission to establish maximum and minimum price. N. M. 50, 15 Mr
- 4330 Cotton bales weighing 300 pounds or over made merchantable. S. C. 61, 15 F
- 4331 Unlawful for news agencies to discriminate against newspapers, or for employee to aid in business of agency refusing to supply. Tenn. 286, 19 Ap
- 4332 Unlawful to carry on business of horse trading on highways within one mile of fair or religious meeting; fine not over \$50. Amending Code '91 ch.149 §22a. W. Va. 61, 25 My

### Arts. Industries

- 4333 **Exposition corporations.** Articles of association of exposition corporations shall state *amount of stock subscribed at date, not less than 10%; total stock need not be taken by original corporators; capital may be increased or diminished.* Amending C.L. §6948. Mich. 1, 24 Ja
- 4334 General law for incorporation of world's fairs and centennial expositions. Mo. p.130, 12 Ap

- 4335 **Paris exposition.** Paris exposition commission created.  
Cal. 108, 20 Mr; Col. 122, 12 Ap; Id. p.329, 15 F; Ill. p.380, 12 Ap;  
Nev. 46, 9 Mr; N. H. 142, 11 Mr; N. C. 447, 6 Mr; 694, 8 Mr;  
Or. p. 1131, 18 F; Wy. 92, 21 F
- 4336 **Appropriating \$50,000 additional.** Mass. p.587, 25 My
- 4337 **Making appropriation for expenses of commission representing the state.** Amending '98 ch.176. N. Y. 553, 9 My
- 4338 **Ohio centennial.** Commission for Ohio centennial and Northwest territory exposition created.  
Ill. p. 37, 12 Ap; Ind. 48, 17 F; Mich. 149, 23 Je; Wis. 205, 18 Ap
- 4339 **Louisiana purchase centennial.** Submitting constitutional amendment: St Louis may issue bonds for \$5,000,000 to aid centennial; conditions. *Vote November 1900.* Mo. p. 384
- 4340 **Submitting constitutional amendment to authorize appropriation from sinking fund for state exhibit at centennial.** *Vote November 1900.* Mo. p.385
- 4341 **Pan-American exposition.** Governor to appoint board of general managers of state exhibit; appropriating \$300,000 for building and exhibit. N. Y. 36, 1 Mr
- 4342 **Creating exposition commission.** Mass. p.584, 23 My; Wis. 318, 2 My
- 4343 **Exemption.** Tanning and tanning extract factories exempted from taxation for six years. N. M. 15, 16 F
- 4344 **Cotton manufactories exempt from taxation for 10 years from date of establishment.** Okl. 18, 10 Mr
- 4345 **Linseed oil.** Linseed oil to answer tests of United States pharmacopeia; boiled oil must have been put to 225° F.; name of oil and name and address of manufacturer to be stamped on vessel; commissioner of agriculture to enforce law; empowered to enter buildings and inspect. N. D. 106, 9 Mr
- 4346 **Regulating manufacture and sale of linseed oil, to prevent adulteration or deception.** Wis. 234, 20 Ap
- 4347 **Gold and silver ware.** Penalty for deception in articles made in whole or in part of gold or silver or in imitation thereof.  
Ill. p.138, 24 Ap
- 4348 **Wheat and corn products.** Manufactured products of wheat and corn to have name and net weight stamped in letters two inches long on every package. Tex. 167, 5 Je
- 4349 **Mills.** Minor amendment to R.S.'89 §7026 fixing rates of toll for mills and millers. Mo. p.302, 21 Mr
- 4350 **Repealing R.S.'89 §7033 providing that when public mill is changed to private mill certain privileges are forfeited.** Mo. p.303, 17 My

- 4351 Horseshoeing.** Creating state board of horseshoers' examiners; registration required in all cities of 10,000; certificates to all practising at time act takes effect. Mich. 229, 8 Je
- 4352 Horseshoers** to be examined and registered for practice in *all cities* [formerly cities of 50,000]. Amending '97 ch.415 §180-84. N. Y. 558, 10 My
- 4353** Creating boards of horseshoers' examiners in cities of 20,000; registration and examinations. Wash. 77, 13 Mr
- 4354 Accountants.** Establishing board of examination of accountants; regulations; only holders of certificates to be certified public accountants. Pa. 17, 29 Mr

### Mines and mining

- 4355** Generally amending '95, 93 relating to bureau of mines and duties of commissioner. Col. 119, 10 Ap
- 4356** Increasing powers of state inspector; to collect information relative to mineral resources of state; mines to report annually; may appoint deputies; accidents to be investigated. Amending '93 p.152. '95 p.160 reenacted to correct illegality in passage. Id. p.221, 14 F
- 4357** General revision of laws. Ill. p.300, 18 Ap
- 4358** Creating bureau of mines, mining and mine inspection; governor to appoint two inspectors. Amending '93 p.209. Mo. p.307, 28 Ap
- Location. Ores. Property rights.** (*See also* Liens, 1599; Eminent domain, 1594; Irrigation and water rights, 4474)
- 4359 Mining claims.** Generally amending '95, 42 relating to locating claims. Ari. 14, 2 Mr
- 4360** Repealing law relating to location of claims, '97, 159. Cal. 113, 20 Mr
- 4361** Mining law (R.S.'87 §3100-22) amended as to manner of locating claims and boundaries, and as to location certificates, abandoned claims and assessment work. '95 p.25 reenacted to correct illegality in passage. Id. p.237, 14 F
- Minor amendment. Id. p.440, 13 Mr
- 4362** Location and recording of claims. Or. p.16, 14 O '98
- 4363** Mining claims, *whether quartz or placer*, to be deemed real estate. Amending '98 p.16. Or. p.62, 17 F
- 4364** Amending R.S.'98 §1495-1506, 1537, 990 relating to locating and recording quartz and placer claims. U. 14, 3 Mr
- 4365** Repealing R. S.'98 §1499 requiring \$50 worth of work to be done on claim within 90 days from filing location notice. U. 15, 3 Mr

- 4366 Regulating manner of locating lode and placer claims. Wash. 45, 8 Mr
- 4367 Mining claim notices to be recorded with ex officio recorders of counties where situated; recorders of local districts to turn over records. Ark. 63, 18 Mr
- 4368 Repealing C.C.P.'95 §494 limiting time within which action for recovery of claims must be begun. Mon. p.136, 7 Mr
- 4369 Amending manner of locating and recording lode and placer claims, mill sites and tunnel rights ('97, 89). Nev. 77, 14 Mr
- 4370 Claims to be marked by *four* [formerly eight] posts. Amending C.L.'97 §2299; repealing §2300-10, 2288. N. M. 57, 16 Mr
- 4371 Secretary of state to collect fee of \$1 for registering notice of claim. Amending '92 ch.683 §26. N. Y. 197, 1 Ap
- 4372 Amending contents of location certificate to be filed by discoverer of lode (Ann.S.'99 §2658). S. D. 113, 6 Mr
- 4373 Amending width of lode claim and amount of work to be done before filing location certificate (Ann.S.'99 §2657, 2660, 2662). S. D. 115, 23 F
- 4374 Property rights. Contracts. Amending R.S.'87 §3131-34, 3140-41 as to obtaining rights of way and easements for development of mines. Id. p.350, 9 Mr
- 4375 Contracts relating to prospecting or mining, when recorded to be constructive notice of matters contained in such contract. Id. p.366, 7 Mr
- 4376 Regulating tunnels through mining claims belonging to other persons. Id. p.442, 15 Mr
- 4377 Mining corporations may dispose of or mortgage their property; protecting dissenting stockholders. Mon. p.113, 28 F
- 4378 Ores. Analysis. Fixing fees to be charged for assays by state university; fee of county recorder for recording notice of locating mining claim to be \$1.50. Ari. 16, 3 Mr
- 4379 Repealing '87, 100 creating commission to award prizes for methods of reducing ores. Nev. 105, 20 Mr

Miners. Inspection. Safety. (See also Liens, 1599)

- 4380 Inspection. Regulation. State association of miners created; secretary to succeed to powers and duties of state mine inspector; report. Kan. 33, 6 Ja
- 4381 Inspectors to be appointed by governor *with consent of senate*. Amending '93 p.209. Mo. p.306, 18 My
- 4382 Salary of state inspector to be \$1200 [formerly \$1000]. Amending Ann.S.'99 §127. S. D. 112, 4 F



- 4383 Duties of inspectors slightly amended (R.S.'89 §7072).  
Mo. p.307, 17 My
- 4384 Hospitals. Establishing three miners' hospitals.  
W. Va 57, 25 F
- 4385 Repealing '90-91 ch.81 §3-11 vesting in trustees control of state hospital for disabled miners.  
Wy. 15, 11 F
- 4386 Hours. Wages. Eight hours to be a day's work except in emergency, in mines, smelters and reduction works.  
Cpl. 103, 16 Mr
- 4387 In mines at depth of 200 feet or more, other than coal mines, eight hours to be a day's work.  
Mo. p.312, 11 My
- 4388 Owners of mining claims wishing to employ laborers must first post copies of mortgages.  
S. D. 114, 23 F
- 4389 Special regulations. Establishing standards and tests for miners oil.  
Ind. 144, 3 Mr
- 4390 No blasting in mines during working hours; innermost shots to be fired first; depth of hole for blast in coal mine; not over eight pounds of powder.  
Ind. 167, 4 Mr
- 4391 Mine operators to allow miners to come to the surface to eat.  
Mo. p.309, 8 My
- 4392 A man shall be placed at top of shaft and one at bottom, to answer signals for lowering or hoisting men. Mo. p.310, 15 Mr
- 4393 Amending Pen.C.'95 §704 providing that a shaft or a drift, or a cut near city or road must be inclosed by fence or covered.  
Mon. p.149, 28 F
- 4394 Unused coal mines and dry wells to be filled up or securely covered; township overseers to cause same to be done after 30 days notice to owner.  
N. D. 43, 9 Mr

**Coal mines**

- 4395 Inspection and regulations. Regulating coal mining; inspector to be appointed by commissioner of labor, salary \$3; escape shafts in all mines, 300 to 400 feet from main shaft; only competent engineer to operate cages and hoists; cages to have safety catches and covers; 10 only to ride; employees may name check weighman; owner to supply timber for props.  
Mich. 57, 2 My
- 4396 In mines employing not over 20 men owner or operator may, on application to mine inspector, be allowed to act as foreman without examination; certain counties excepted.  
Ala. p.86, 23 F
- 4397 Miners to have certificate of competency from state inspector. Amending R.S.'89 ch.115 art.2.  
Mo. p.308, 2 Je

**Trades. Industries. Mining**

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4398 **Oil.** Explosive oil may be used in bituminous coal mines in approved safety lamps. Amending '93 ch.48 art.8 §4.

Pa. 74, 28 Ap

4399 **Wages.** Repealing R.S.'89 §7058, 7060 making unlawful the payment of coal miners by checks, orders, etc. payable otherwise than in lawful money unless the same are negotiable and redeemable at full value in cash or goods. Mo. p.305, 15 My

4400 Amending '91 p.183 relating to the time of payment of miners.

Mo. p.305, 3 My

4401 Miners given lien on all property of operator for wages due.

Mo. p.311, 15 Mr

4402 **Weighing.** Mine owners employing 20 persons shall keep scales and measures, to be tested annually by inspector; coal mined by weight to be weighed before screened. Ark. 102, 10 Ap

4403 Amending R.S.'89 §7054 prohibiting the screening of coal before being weighed; penalty. Mo. p.303, 3 Je

4404 Owners of mines to furnish suitable scales for weighing. Amending R.S.'89 §7056. Mo. p.304, 15 Mr

4405 Mine inspector to test scales and measures every six months.

Mo. p.311, 15 Mr

4406 Mine operators to retain from employees' wages sum to pay check weighman elected by miners. Tenn. 338, 21 Ap

4407 **Miscellaneous.** Compelling the sinking of escape shafts at coal mines; to be 300 feet from main shaft; regulations.

Kan. 165, 4 Mr

4408 Self-acting doors may, if approved by inspector, be used in anthracite coal mines. Amending '91 ch.177 art.10 §10.

Pa. 58, 20 Ap

**Petroleum. Gas**

4409 Violation of act regulating boring of gas and oil wells punishable by fine of \$20 to \$200 to which may be added 10 to 60 days in jail for each day's violation [formerly \$200 for each 10 days violation]. Amending '93 ch.136. Ind. 22 F

4410 Before drilling into oil or gas bearing rock, well shall be cased; abandoned well must be filled 200 feet above first bearing rock; gas must be confined within 10 days; unlawful to burn gas for illumination except in flambeau lights or "Jumbo" burners, to be enclosed in globes in open air; gas must not be burned at derrick between 8 a. m. and 5 p. m. Tex. 49, 29 Mr

## Agriculture

## General. Commissions. Associations

**State supervision and encouragement.** (*See also* Agricultural colleges, 460; Warehouses, 426; Weights and measures, 4253; Freight, 3916)

- 4411 Department.** Joint committee to be appointed, to investigate state agricultural department; report to next session.

N. C. 5, 18 Ja; 669, 8 Mr

- 4412 Department reorganized;** board of agriculture to have general supervision of agricultural interests, to encourage immigration, to promote the propagation of fish, to report on condition of timber and to enforce laws relative to the sale of fertilizers, seeds and foods products. Repealing '97, 85.

N. C. 377, 4 Mr; 720, 8 Mr

- 4413 Reorganizing state board of agriculture;** governor to appoint three commissioners; powers and duties. Del. 216, 6 Ap

- 4414 Compensation of chemist of department of agriculture amended** (Code '96 §394). Ala. p.23, 27 Ja

- 4415 Meetings of state board amended** ('85 p.19). Col. 83, 4 Ap

- 4416 Appointment of state board amended;** series of popular agricultural bulletins to be printed. Amending '97 ch.232 §1, 4.

Ct. 147, 1 Je

- 4417 Agriculture department not to contract for erection of buildings.**

N. C. 45, 8 F

- 4418 State board to consist of five** [formerly eight] members appointed by governor [formerly included four elected by state agricultural society]. Amending Ann.L.'87 §3151, 3153.

Or. p.208, 20 F

- 4419 State poultry association to appoint one member of the state board of agriculture.** Amending '76 ch.96 §1. Pa. 83, 28 Ap

- 4420 Fees collected by commissioner of agriculture to be paid to state treasurer.**

Tenn. 6, 27 F

- 4421 Commissioner of agriculture to give \$30,000 bond.**

Tenn. 183, 17 Mr

- 4422 Board of agriculture to consist of governor, president of University of Vermont and state agricultural college and six** [formerly three] persons appointed by governor. Amending Vt.S. §245. Vt. 8, 1 D '98

- 4423 Experiment stations.** Assenting to provisions of acts of congress passed in 1862 and 1887 granting public lands for establishing agricultural experiment stations. '90-91 p.16 reenacted to correct illegality in passage. Id. p.9, 2 F

- 4424 Establishing agricultural and horticultural experiment station in upper peninsula; \$2500 for buildings. Mich. 114
- 4425 Experiment station bulletins to be printed by state; \$4000. Mich. c. r. 15, 23 Je
- 4426 Fruit experiment station established in south Missouri. Mo. p.223, 27 Ap
- 4427 Horticultural experiment farm to be established in south part of state; commission to determine site. U. 85, 21 Mr
- 4428 Farmers institutes. Board of agriculture may hold institutes and maintain courses of reading and lectures; may publish farmers institute bulletin annually; institute societies may be organized. Mich. 137, 21 Je
- 4429 Encouragement—miscellaneous. Generally amending beet sugar bounty ('95, 205); act expires Jan. 1, 1901; not to exceed \$40,000 a year; \$4.25 a ton must be paid for beets containing 12% sugar. Minn. 307, 20 Ap
- 4430 Minor amendment to regulations for distribution of bounty for sugar beet culture ('97 ch.500 §72). N. Y. 303, 13 Ap
- 4431 Bounty of 1c a pound on beet sugar grown and manufactured in state; quality and quantity to be determined by president of state agricultural college; factories to be built before Nov. 1, 1901; bounty to continue three years. Wash. 17, 21 F
- 4432 Regulating sale of clover seed mixed with trefoll. Del. 269, 8 Mr
- 4433 Vegetable seed packages must show date, place and name of grower. Fla. 93, 19 My
- 4434 Packages of garden seeds to have year in which grown printed thereon; penalty for violation or false date. Vt. 84, 29 N '93
- 4435 Hop inspector created. Wash. 100, 13 Mr

**Associations. Fairs**

- 4436 Providing for incorporation of associations to promote the business of growing and handling fruit and farm products. Mich. 35, 12 Ap
- 4437 Fine for entering fairgrounds without ticket. Amending '83, 5. Ill. p.1, 24 Ap
- 4438 State. State fair established; to be under control of board of agriculture; site to be selected by board. Mo. p. 208, 19 Ap
- 4439 State fair located at Lincoln; board of public lands and buildings to select site. Amending G.S.'97 §331. Neb. 1, 30 Mr
- 4440 State agricultural societies may sell or exchange real estate purchased from county or city taxes, surplus to be invested in other realty in same county or city. Amending '97, 34. Cal. 92, 16 Mr

- 4441** Agricultural society of the state to arrange for annual exhibition of agricultural and horticultural products and of domestic arts. Del. 175, 30 Mr
- 4442** In counties where county agricultural societies do not exist, oldest street fair association may choose three delegates to state agricultural society. Amending '87, 181. Minn. 304, 20 Ap
- 4443** Local. County and district agricultural societies authorized to sell lands and reinvest or divide proceeds after paying debts. Ind. 12, 7 F
- 4444** When new county is formed the agricultural and horticultural corporation of old county may elect to be continued as the joint society of old and new counties. Amending '95 ch.559 §141. N. Y. 104, 21 Mr
- 4445** Support. Aid. Counties may buy lands for fair grounds on popular vote. Minn. 75, 26 Mr

### Soil—drainage, irrigation, fertilizers

#### Drains. Dykes. Levees

- 4446** General establishment. County commissioners may drain swamps on petition of majority of land owners. Fla. 146, 1 Je
- 4447** Generally amending '97, 254 as to construction of drains. 12p. Mich. 272, 23 Je
- 4448** General law for drainage and reclaiming of swamp lands. Repealing '97 p.146. Mo. p.278, 11 My
- 4449** Generally amending '76, 203 relating to drainage of meadow and swamp land by cities. N. J. 50, 20 Mr
- 4450** Authorizing commissioner's courts to establish county systems of drainage; question to be submitted to voters paying property tax. Tex. 64, 11 Ap
- 4451** Providing for location of private ditches and drains; procedure. Wash. 125, 14 Mr
- 4452** If viewers deem land likely to be damaged by ditch and owner refuses to give right of way, same shall be condemned as in case of railroads; land owner to keep ditch cleaned *to proper depth*; *road overseers* [formerly county surveyor] to remove obstructions; holder of lien for ditch on state lands to serve summons on auditor of state. Amending Digest '94 §1205, 1221, 1232. Ark. 181, 8 My
- 4453** Restricting the employment of surveyor by commissioners in laying out ditches; other amendment to R.S.'93 ch.59. Del. 257, 23 Mr

- 4454 Apportionment of cost of public ditch; compensation of engineer.  
Amending R.S.'94 §5670, 5685. Ind. 213, 6 Mr
- 4455 County surveyor's fees for inspecting drainage of wet lands *at rate fixed in estimate, not to exceed \$4 a day.* Amending '98, 328.  
Minn. 274, 18 Ap
- 4456 County commissioners may construct ditches *following streams, straighten natural water courses and build dikes*; notice of petition to be served on owners in same way as civil summons.  
Amending G.S. §7793-94. Minn. 347, 20 Ap
- 4457 Minor amendment to Code §1308 relating to draining of low-lands. N. C. 396, 6 Mr
- 4458 Minor changes in procedure in establishing drains. Amending '95, 51. N. D. 79, 17 F
- 4459 **Assessment.** Invalid assessments paid in reclamation districts to be credited with interest on future assessment.  
Cal. 44, 2 Mr
- 4460 Repealing provision (C.L. §4370) for additional counsel to defend drain tax. Mich. 141, 23 Je
- 4461 Parties assessed for support of drainage canal and failing to pay may be cut off. Amending '89, 380; Code §1321.  
N. C. 600, 7 Mr
- 4462 Drainage assessments divided into five equal annual instalments. Amending '97, 77. Tex. 142, 20 Je
- 4463 **Repair. Obstruction.** Parts of public ditches within city or town to be kept in repair by marshal; may be converted into sewers. Ind. 196, 4 Mr
- 4464 Land owners to keep public ditches *and natural streams* free from obstructions. Amending Ann.S. §4306. Ind. 240, 6 Mr
- 4465 Penalty for obstructing water courses. Mo. p.165, 29 Ap
- 4466 Water commissioners of town may repair or enlarge ditch if expense is not over \$500; itemized account to be handed in to town board. Amending R.S. pt.3 ch.8 t.16. N. Y. 111, 21 Mr
- 4467 If two or more persons construct ditch or canal under agreement it is unlawful for one of them to fill it or obstruct it without consent of the higher owners. N. C. 255, 27 F
- 4468 **Drainage districts.** Reclamation districts deemed organized and may sue and be sued on election and qualification of trustees. Amending P.C. §3453. Cal. 10, 14 F
- 4469 Swamp and overflowed land reclamation and protection districts neglecting for five years to use powers may be dissolved by court. Cal. 16, 17 F

## SUMMARY OF LEGISLATION, 1899

**4470 Levees.** *Riding on levee forbidden.* Amending Digest '94 §1722.

Ark. 76, 28 Mr

**4471** Amending proceedings for procuring right of way for levees (R.S.'89 §6685). Mo. p.298, 29 Ap; 299, 21 Mr

**4472** When right of way for levee has been secured over railroad right of way, railroad must build its roadbed as high as the top of levee. Amending R.S.'89 §6685. Mo. p.299, 21 Mr

**4473** Minor amendments to '95, 117 regarding dike districts.

Wash. 115, 13 Mr

#### Irrigation. Water rights

**4474 General laws.** Regulating the distribution of water from streams, lakes, etc. for irrigating and domestic purposes; lands may be condemned for ditches; county commissioners to fix maximum charge for use of water; owner of irrigation works to report annually to state engineer. Id. p.380, 25 F

**4475** Irrigation law revised; state board of adjudication and control established; consolidation of districts; elections; minor amendments. '97 p.146 reenacted to correct illegality in passage.

Id. p.408, 6 Mr

**4476** General law relating to water rights; county boards of water commissioners. Nev. 97, 16 Mr

**4477** Submitting constitutional amendment governing reservoirs and water rights. *Vote June 1900.* Or. p.143, 18 F

**4478** Reservoirs for storing water, and ditches, flumes, canals and pipe lines for conveying water, may be constructed to aid in developing mineral lands and furnishing electric power for general purposes; regulations; right of eminent domain.

Or. p.172, 18 F

**4479 State supervision.** Large reservoirs not to be built till plans are approved by state engineer; engineer to examine reservoir and withdraw excess of water if unsafe. Col. 126, 6 Ap

**4480** Providing for collection and disposition of fees by state engineer. Col. 138, 6 Ap

**4481** Counties to keep state reservoirs in good condition and distribute the water. Col. 140, 7 Ap

**4482** Creating office of state engineer; appointed by governor for four years; to collect and give information for irrigating purposes, to inspect dams and reservoirs and to approve plans for proposed dams, etc.; to report on proposals for reclaiming arid lands. '95 p.215 reenacted to correct illegality in passage.

Id. p.282, 2 Mr

**4483** State arid land grant commission may construct water systems for irrigating land and for other purposes. Amending P.C.'95 pt 3 t.8 art.2 Mon. p.53, 13 F

- 4484 Guarantee for construction of irrigation ditches *optional with state board of land commissioners* [formerly \$250 to \$2500]; board may accept good reason for failure; may release contractor and accept his relinquishment of rights. Amending '95, 38.  
Wy. 6, 7 F
- 4485 Superintendent of water division no. 1 to be secretary of state board of control and special land commission; salary \$1500; superintendents of divisions 2, 3 and 4, \$8 a day and expenses.  
Wy. 59, 18 F
- 4486 Local works. Amending C.S.'97 §5529, 5534 relating to levy of taxes for payment of interest and redemption of bonds of irrigation districts; current expenses of the district to be met by tolls or by special assessments, or by both.  
Neb. 78, 31 Mr
- 4487 Minor amendments to '91, 92 relating to irrigation districts.  
Nev. 38, 7 Mr
- 4488 Mayor domos of acequias not to care for or rent lands or alfalfas within ditches under their supervision. N. M. 73, 16 Mr
- 4489 Counties and civil townships and municipal corporations, except cities over 10,000, may issue bonds for water for irrigation and domestic use; limit; vote. S. D. 52, 3 Mr
- 4490 Submitting amendment to constitution authorizing taxation for irrigation in certain counties. *Vote November 1900.*  
Tex. j.r. p.337, 20 Je
- 4491 Authorizing dissolution of irrigation districts.  
Wash. 102, 13 Mr
- 4492 Commissioners of counties on the Arkansas river may on petition appropriate money to protect the counties from injury by the diversion of the river in Colorado. Kan. 98, 4 Mr
- 4493 Companies. Irrigation or canal companies to have same right to condemn lands as railroad companies. Kan. 151, 3 Mr
- 4494 Use of one irrigation canal by two canal companies amended ('91 p.52 §13). Or. p.201, 20 F
- 4495 Water rights. Procedure for changing point of diversion of water rights. Col. 105, 6 Ap
- 4496 Increasing the power of watermasters; district court may adjudicate water rights not included in an original decree. Amending '97 p.56. Id. p.309, 9 Mr
- 4497 District judge to appoint watermaster on petition, if owners fail to elect one, who shall determine the distribution of the water of the stream as allotted by court. '97 p.56 reenacted to correct illegality in passage. Id. p.303, 2 Mr
- 4498 Fixing standard for measurement of water rights. Repealing C.C.'95 §1893. Mon. p.126, 3 Mr



- 4499 Eminent domain may be exercised in behalf of aqueducts supplying mines, mills and smelters with water. Amending C.C.P.'95 §2211. Mon. p.135, 7 Mr
- 4500 Commissioner may be appointed to distribute to the parties along a stream the waters to which they are entitled by decree of the court. Mon. p.136, 2 Mr
- 4501 Stored water may be turned into natural channel and then reclaimed; water appropriated by others not to be diminished. Nev. 49, 9 Mr
- 4502 Owners of mill ditches may secure right of way through lands; appraisers. N. M. 61, 18 Mr
- 4503 Holders of lands may have right of way to streams for constructing dams and flumes; rights of prior appropriators not to be impaired; liable for damages; location certificates filed with register of deeds. N. D. 173, 8 Mr
- 4504 Person wishing to build dam to petition court; commissioners to be appointed to assess damages; procedure. N. D. 71, 8 Mr
- 4505 Nonriparian proprietor may condemn right of way for irrigation ditches. Wash. 131, 14 Mr
- 4506 Special regulations. Misdemeanor to take water from canal for irrigation or power. Amending Pen.C. §592. Cal. 110, 20 Mr
- 4507 Penalty for injuring dam not over 20 [formerly five] years or not over \$10,000 [formerly \$500]. Fla. 91, 4 My
- 4508 Unlawful to waste water or to interfere with the overflow of water in streams used for irrigation. Id. p.336, 25 F
- 4509 Amending recovery of damages to acequias or ditches (C.L.'97 §36). N. M. 80, 16 Mr
- 4510 Fine for injuring irrigating canal, wasting or stealing water not over \$200 [formerly \$500]. Amending Pen.C.'95 art.496. Tex. 162, 5 Je

**Fertilizers**

- 4511 Inspection. State chemist authorized to procure samples of any fertilizer offered for sale; misdemeanor to attempt to prevent inspection. Amending '81, 51. Ind. 33, 17 F; 75, 24 F
- 4512 Fertilizers to be inspected; fee for inspection; sale of fertilizers without inspection stamp or tag prohibited. S. C. 65, 7 Mr
- 4513 Providing for analysis of all commercial fertilizers. Tex. 46, 25 Mr
- 4514 Regulating manufacture and sale of commercial fertilizers. Wash. 50, 8 Mr
- 4515 State chemist to make analysis of fertilizers for certain producers for \$1 [formerly \$5]. Amending '85 ch.438 §6. Del. 213, 9 F

- 4516 Repealing '97, 34 requiring inspection of phosphates.  
Fla. 95, 11 My
- 4517 Expense of materials used in inspecting fertilizers, in recording same and postage on bulletins, up to \$500, to be paid from inspection fees. Amending '90-91 p.143.  
Ga. p.99, 22 D '98
- 4518 Slightly amending '97 p.115 regarding branding of fertilizers.  
Ga. p.100, 22 D '98
- 4519 Fertilizer selling for more than \$5 [formerly \$10] a ton to bear printed statement of its composition, etc.; license fee for each brand of fertilizers. Amending '96 ch.955 §1, 3.  
N. Y. 687, 25 My

### Horticulture. Hindrances to crops

#### Horticulture. Diseases and pests

- 4520 State supervision. State board of entomology established with power to make necessary regulations to prevent spread of insect pests and plant diseases; state entomologist to inspect nursery stock, trees, etc.; nursery stock not to be shipped into state without certificate of inspection. Amending '97 p.111.  
Ga. p.94, 20 D '98
- 4521 Revising law relating to horticulture; state board [formerly single officer] established; district [formerly county] inspectors; regulations. '97 p.109 reenacted to correct illegality in passage.  
Id. p.122, 10 F  
Amended. Id. p.437, 7 Mr
- 4522 State entomologist ordered to inspect annually all nurseries in the state and to treat trees infested with dangerous insects; all nursery stock shipped into state to be labeled with inspector's certificate or to be inspected by state entomologist.  
Ill. p.49, 11 Ap
- 4523 Office of state entomologist created; annual inspection of all nurseries between June 1 and October 1; misdemeanor to ship stock affected with San José scale or other diseases; certificate with each package; carriers must hold and report uncertified imported packages.  
Ind. 138, 1 Mr
- 4524 Fruit experiment station established in south Missouri; manager and inspector to examine trees, etc. for pests; regulations.  
Mo. 223, 27 Ap
- 4525 State board of horticulture created; appointed by governor; term of office four years; secretary; nursery stock to be inspected and if diseased or infested with dangerous insects to be destroyed; biennial report.  
Mon. p.36, 17 F

- 4526** Expert entomologist to be employed at Agricultural and mechanical college to devise means of destroying insect pests; appropriation \$5000. **Tex.** 9, 25 F
- 4527** State commissioner of horticulture may appoint county fruit and tree inspector where county commissioners fail to appoint; inspectors may be removed for incompetency or neglect; monthly reports; infected premises must be disinfected in five days *unless inspector extends time*. Amending '97, 109. **Wash.** 127, 14 Mr
- 4528** \$700 may be appropriated annually to state horticultural society. **N. J.** 78, 22 Mr
- 4529** Qualifications and duties of board of horticulture amended ('95 p.33). **Or.** p.55, 17 F
- 4530** General regulations. Importer of nursery stock to notify quarantine officer in 24 hours after arrival; addresses of shipper and consignee to be plainly marked; disinfection; stock infested with new species to be returned or destroyed; importation of injurious insects forbidden. **Cal.** 76, 11 Mr
- 4531** Amending penalty for refusal of owner of orchard, nursery, fruit packing house, etc. to comply with directions of county inspector as to pests ('97 ch.55 §7). **Col.** 102, 11 Ap
- 4532** Unlawful to sell or give away diseased nursery stock. **Fla.** 153, 3 Je
- 4533** Unlawful to keep *pear* or other trees infected with yellows, black knot, *peach rosette*, *little peach* or *pear blight* or ship the fruit except plums, cherries and *pears*. Amending '93, 112 **Mich.** 100, 1 Je
- 4534** County commissioners may, after petition, and to prevent introduction of dangerous insects, prohibit importation of fruit. **N. M.** 56, 16 Mr
- 4535** Regulations for protection of fruit and hop industry; spraying; sale of diseased fruit or nursery stock; packing for shipment. **Or.** 97, 17 F
- 4536** Commissioners may be appointed in townships, boroughs or cities to inspect fruit trees, vines etc.; trees diseased or infested to be ordered treated or destroyed; appeal of owner. **Pa.** 77, 28 Ap
- 4537** Appointment and duties of county fruit tree inspector amended (R.S.'98 §1176, 1178, 1181). **U.** 47, 9 Mr
- 4538** Towns and incorporated villages may appropriate for exterminating worms on trees in parks and highways. **Vt.** 156, 30 N '98
- 4539** Poisons. Providing for analysis of all commercial poisons. **Tex.** 46, 25 Mr

- 4540 Repealing '96, 109 as to use of poisonous substances on fruit trees in blossom; spraying solutions to contain 3 pounds of unslaked lime to 50 gallons of solution. **Vt. 155, 26 N '98**
- 4541 Repealing '97 ch.55 §8 forbidding the spraying of fruit trees in bloom with substance injurious to bees. **Col. 101, 4 Ap**
- 4542 **San José scale.** Inspection of nursery stock to prevent spread of San José scale. **Wis. 190, 14 Ap**
- 4543 **Grasshoppers.** Repealing C.S.'97 ch.33 relating to extermination of grasshoppers. **Neb. 36, 22 Mr**
- 4544 County commissioners empowered to plow lands to destroy grasshoppers and Rocky mountain locusts; notice to owner; expense a lien on land. **N. D. '95, 9 Mr**

**Weeds**

- 4545 **Canada thistle.** Penalty for not cutting Canada thistles \$20 [formerly \$25 to \$50]; expense of cutting to be taxed against land; notice to nonresident not required. **Wash. 46, 8 Mr**
- 4546 Misdemeanor to allow Canada thistle to grow to a height of 4 inches. Amending R.S.'94 §2234. **Ind. 77, 24 F**
- 4547 Amending extirpation of Canada thistle ('89 p.70) **Or. p.15, 16 F**

**Noxious animals. Bounties**

- 4548 Counties shall on petition of one fourth of the voters who are taxpayers [formerly may on petition of one tenth] offer bounties for destruction of certain wild animals. Amending R.S.'87 §1760. '93 p.65 reenacted to correct illegality in passage. **Id. p.20, 2 F**
- 4549 County commissioners to pay bounties on scalps of wolves and coyotes. **Kan. 59, 4 Mr**
- 4550 Amending P.C.'95 §3070-72, 3076, 3079 relating to payment of bounty on wild animals. **Mon. p.100, 27 F**
- 4551 Scalps of wild animals deposited with justice of peace to be sent to sheriff with statement. Amending '87 ch.31. **Nev. 45, 9 Mr**
- 4552 Counties to levy tax of not exceeding ½ mill on horses, cattle, sheep and goats to pay bounties for killing of wild animals. Repealing C.L.'97 §714, 717, 763-67. **N. M. 38, 15 Mr**
- 4553 Counties may levy tax on sheep and also on other property for bounty fund for scalps of wild animals; regulations for payment of bounty. **Or. p.129, 18 F**
- 4554 Amending title to '97, 186 for payment of bounties for killing wildcats, foxes and minks. **Pa. 42, 11 Ap**
- 4555 Bounty for killing wolves, coyotes and mountain lions; paid by state. **S. D. 8 F**

- 4556** Bounty for wolf, panther or bear \$12; lynx \$5; fox 60c; rattle-snake \$1. Vt. 110, 17 N '98
- 4557** Bounty on wolf poisoned or otherwise killed \$3 [formerly \$5]; on wildcat or lynx \$1 [formerly \$3] *to be paid by county* with equal reward from state. Wis. 45, 23 Mr
- 4558** Increasing bounties for killing wild animals; authorizing associations for payment of private bounties. Repealing '97, 75. Wy. 67, 20 F
- 4559** Bears. Repealing bounty on bears (R.S. ch.30 §5). Me. 13, 17 F
- 4560** Wildcats. Repealing bounty on wildcats ('97, 195). Me. 83, 15 Mr
- 4561** Wolves. Increasing bounty on wolves; *town clerk* [formerly county auditor] to inspect carcass and certify. Repealing '97, 43. Minn. 146, 11 Ap
- 4562** Bounty for gray, "buffalo" or prairie wolf \$2 [formerly \$3]; *for pup wolf \$1; if body of full grown female exhibited with every five pups, \$2 each; skins and skulls* to be exhibited. Amending '97 ch.37 §1-2. N. D. 34, 8 Mr

### Domestic animals

(See also Inhumanity, 104; Racing, 43; Railways—killing stock, 3968)

#### Health. Inspection. Contagious diseases

- 4563** State supervision. Creating office of state veterinarian; to protect health of domestic animals. Cal. 96, 18 Mr
- 4564** Repealing '89 p.43 creating board of live stock commissioners to suppress contagious and infectious diseases among live stock and to protect stock owners. '90-91 p.129 *reenacted to correct illegality in passage.* Id. p.84, 2·F
- 4565** General law as to diseases among domestic animals; establishing new board of cattle commissioners. Repealing '96, 276; '97, 499; '98, 451, and parts of '94, 491 and '95, 496. Mass. 408, 25 My
- 4566** Office of state live stock inspector created; to investigate diseases; any five freeholders may demand inspection; quarantine. Nev. 110, 22 Mr
- 4567** Live stock sanitary board to investigate causes, treatment, etc. of diseases of domestic animals; appropriation. Pa. 267, 11 My
- 4568** President of state board of health may authorize veterinarian to examine diseased animals; his decision final; may quarantine or kill; fees \$4 a day; appraisers fees \$1; certificates for payment of killed stock not to exceed \$3000 [formerly \$1000] a year. Amending '97, 9. W. Va. 53, 24 F

- 4569 State board of health to cooperate with officials of other states and of United States in protecting live stock against contagious and infectious disease. S. C. 77, 3 Mr
- 4570 Salary of live stock representative on state board of health to be fixed by board, not over \$125 a month. Amending '97, 46. Tenn. 424, 24 Ap
- 4571 **Miscellaneous regulations.** Owner of animal affected with glanders, farcy or rabies to permit inspection; health inspector to notify him to isolate affected and exposed animals. Amending '97, ch.178 §2. Mass. 292, 22 Ap
- 4572 Amending P.C.'95 §2990 relating to tax levy for stock inspection purposes; tax to be [formerly not to exceed] 1½ mills on assessed valuation of stock. Mon. p.97, 6 Mr
- 4573 Animals dying of contagious disease must be buried by owner in 24 hours; contagion presumed till contrary is proven. N. D. 36, 7 Mr
- 4574 Unlawful to ship cattle without certificate of inspection; fee. N. M. 53, 16 Mr
- 4575 To prevent spread of hog cholera and other contagious diseases; owner to burn carcass; misdemeanor to sell carcass or to sell infected swine or drive along highway. Okl. 2 art.1, 9 Mr
- 4576 Owner of animals killed by order of county judge to be paid from general revenue fund amount allowed by *commissioners'* court. Amending R.S.'95 art.4934. Tex. 165, 5 Je
- 4577 **Tuberculosis.** Tuberculous cattle not to be imported; duty of common carriers; examination. N. J. 181, 24 Mr
- 4578 Forbidding dairymen to keep cattle having tuberculosis; dairy and food commissioner to kill such cattle. U. 48, 9 Mr
- 4579 **Sheep.** Creating office of state sheep inspector; appointed by governor; state inspector to appoint deputy inspectors for counties [formerly county commissioners appointed inspectors]. Amending '93 p.79. '95 p.124 reenacted to correct *illegality in passage.* Id. p.184, 9 F  
Amended; state inspector to district the state; deputies to examine all sheep in district twice each year and oftener on written request; diseased sheep to be quarantined and dipped by owner. Id. p.352, 25 F
- 4580 State board of sheep commissioners established; may appoint sheep inspectors to prevent spread of disease. Wy. 26, 16 F
- 4581 Governor may establish quarantine against sheep of localities in other states where disease is epidemic. Id. p.452, 13 Mr

- 4582 Minor amendments to '93, 54 regarding inspection.  
Nev. 27, 6 Mr
- 4583 Revising the duties of the sheep sanitary board. Repealing  
C.L.'97 §161-66. N. M. 33, 10 Mr
- 4584 District veterinarian authorized to appoint sheep inspectors in  
*any county where county commissioners fail to appoint.* Amending  
R.C.'95 §1609. N. D. 147, 9 Mr
- 4585 Unlawful for express companies or shippers to send more than  
four sheep in one shipment without inspection.  
Or. p.30, 15 O '98
- 4586 Sheep to be inspected for disease before shipment into state.  
Or. p.170, 18 F
- 4587 Inspectors appointed by *state board of sheep commissioners* [for-  
merly county commissioners]; bond \$5000 [formerly \$2000];  
repealing provisions requiring sheep owner to file affidavit  
annually; providing for deputy inspectors. Amending '97, 57.  
Wy. 30, 16 F
- 4588 Hogs. Diseased swine not to be bought or sold or allowed to  
run at large; carcasses to be burned or buried. S. D. 131, 8 F
- 4589 Horses. Horses to be inspected by sheriff or stock inspector  
before removal from state. Mon. p. 95, 6 Mr
- 4590 Bees. Foul brood inspector may be appointed by supervisors on  
petition of 10 beekeepers; powers. Ari. 26, 11 Mr
- 4591 Owner of diseased apiaries to be instructed by agent of commis-  
sioner of agriculture how to treat the disease; if, after treat-  
ment, bees are not cured, agent is to order destruction [for-  
merly destruction was required in first instance]. Amending  
'93 ch.338 §80-81. N. Y. 223, 3 Ap
- 4592 Veterinary practice. Law regulating practice of veterinary med-  
icine; state board of examiners created. Ill. p.277, 24 Ap
- 4593 Creating state board; registration and examination.  
Mich. 181, 10 My
- 4594 Provisions regulating practice do not apply to persons practising  
castration. Amending R.C.'95 §1620. N. D. 168, 27 F
- 4595 Penalty for practising without registration \$10 to \$25 or 30 to 90  
days or both. Amending §1492f. Wis. 82, 30 Mr
- Running. Impounding. Fences**
- 4596 Running at large. Owner who allows cattle to run at large  
must furnish one bull of good stock for every 25 head. Amend-  
ing G.S.'83 §1307. Col. 114, 6 Ap
- 4597 Amending R.S.'87 §1240-43 preventing the running at large of  
stallions. '90-91 p.38 reenacted to correct illegality in passage.  
Id. p.26, 2 F

- 4598 Horses, cattle, mules *or hogs* not to be grazed in the state by non-residents and not to be driven from county to county by residents. Amending R.S.'89 §945. Mo. p.49, 29 Ap
- 4599 Repealing '75, 12 prohibiting camels and dromedaries from running at large. Nev. 105, 20 Mr
- 4600 Amending Code §2320 relating to the ranging of cattle. N. C. 494, 6 Mr
- 4601 Provisions as to damage by trespassing animals not to be construed as conflicting with law permitting stock to run at large from November 1 to April 1. Amending R.C.'95 §6153. N. D. 162, 6 F
- 4602 Amending Ann.L.'87 §3383 for the gelding of horses and jackasses running at large. Or. p.143, 18 F
- 4603 Live stock not to run at large in counties of 59,000. Tenn. 23, 17 Mr
- 4604 Vote on adoption of stock law not to be taken oftener than once in two years; commissioners' courts, on petition of majority of electors, to order reelection. Amending R.S.'95 art.5001. Tex. 57, 22 Ap
- 4605 Misdemeanor to *take and use or take up and use another's animal*. Amending Pen.C.'95 art.788. Tex. 179, 5 Je
- 4606 Unlawful to confine bull found at large, for purpose of obtaining service. Wy. 3, 3 F
- 4607 **Estrays. Damages.** When estrays are found, notice must be published by finder; branding by sheriff amended. R.S.'87 §1362; '99 p.305. Id. p. 397, 6 Mr
- 4608 Security for damages from trespassing animals *to be approved by justice of peace; arrest notice of giving security must be given to holder of stock one day before approval; costs.* Amending R.C.'95 §6156. N. D. 161, 8 Mr
- 4609 Regulating the taking up of stray horses, cattle, etc.; notice; affidavit; fee. Repealing '93 ch.2 art.3. Okl. 2 art.3, 14 Mr
- 4610 Hogs, sheep, goats and cattle not subject to be estrayed unless known as being stray for *four* [formerly 12] months. Amending R.S.'95 art.4968. Tex. 136, 23 My
- 4611 Damages by trespassing swine may be recovered in civil action; if owner unknown, required notice shall be published two weeks. Amending G.S.'91 §2490. Wash. 39, 7 Mr
- 4612 **Impounding.** Cities over 2500 may impound stock running at large; misdemeanor to drive animals into city for impounding. Ark. 122, 17 Ap
- 4613 County commissioners empowered to establish pounds and elect poundmasters in unorganized or dissolved townships. Amending R.C.'95 §2655. N. D. 121, 9 Mr



## SUMMARY OF LEGISLATION, 1899

- 4614 **Fences.** Petitioners for fencing district shall specify what kind of stock is to be restrained; lawful fence for small stock. Amending Digest '94 §1176. Ark. 103, 10 Ap
- 4615 Misdemeanor to leave open gate erected across highway through overflowed lands. Amending '95, 74. Ark. 180, 8 My
- 4616 Refuse from phosphate works must be fenced to prevent danger to animals. Fla. 94, 2 Je
- 4617 **Wire fences.** Prescribing size, number and arrangement of wires in lawful fence. Ark. 100, 10 Ap
- 4618 Inclosures may be fenced with posts, rails and *wire*. Amending Digest '94 §3764-65. Ark. 104, 10 Ap
- 4619 Wire fence, without barbs, to be lawful fence. Pa. 111, 2 My
- 4620 Misdemeanor to damage wire fence of another. Tenn. 21, 18 Mr
- 4621 Defining lawful wire fence. Amending Code '96 §2980. Tenn. 332, 21 Ap; 374, 22 Ap
- Ownership. Sale. Miscellaneous**
- 4622 **Branding.** Brands and marks for live stock to be recorded with secretary of state; brand book to be published annually; fee; regulations. Col. 142, 6 Ap
- 4623 State brand and mark committee created; appointed by governor; powers; owners of live stock to have exclusive right to use registered brands. Repealing C.S.'97 ch.51. Neb. 50, 4 Ap
- 4624 Brands in actual use to be recorded with cattle sanitary board; powers of board. N. M. 16, 16 F
- 4625 Misdemeanor to alter cattle brand; district cattle inspector to examine brands before delivery on sale. Fla. 73, 2 Je
- 4626 When sheriff sells an estray he must brand it with a public brand. Amending R.S.'87 §1365. '97 p.76 reenacted to correct *illegality in passage*. Id. p.305, 21 F
- 4627 Reducing penalties for failure to exhibit brands on hides of slaughtered bovine animals. Amending '85, 30. Nev. 101, 16 Mr
- 4628 Persons offering dressed meats for sale must exhibit the hide; butchers to inspect and record the brands. N. M. 44, 15 Mr
- 4629 Butchers to keep record of branded cattle killed; monthly reports to secretary of state. N. D. 37, 6 Mr
- 4630 Secretary of state's fee for recording brand \$2 [formerly \$1]; record not required to be kept by county register of deeds. Amending R.C.'95 §1538 and repealing §1539. N. D. 108, 8 Mr
- 4631 County clerk to send to state board of live stock commissioners annually lists of stock brands on record. Wy. 21, 15 F

- 4632 **Stealing. Abandoning.** (*See also* Larceny, 2576) Unlawful to ship or drive cattle or horses out of state till inspector examines brands and earmarks; certificate; penalty. Col. 115, 14 Ap
- 4663 Misdemeanor to steal hog, sheep or goat; second offense felony. Fla. 67, 29 My
- 4634 Minor amendments to C.S.'97 §6779 relating to cattle stealing. Neb. 103, 1 Ap
- 4635 Person to whose care live stock is intrusted not to abandon it without notice to owner. N. M. 8, 8 F
- 4636 Persons concealing estrays or lost goods or altering or defacing brands on cattle with intent to steal to be imprisoned not more than five years or fined not more than \$500, or both [formerly fine of \$10 to \$100]. Amending R.C.'95 §7665. N. D. 46, 7 Mr
- 4637 To prevent shipping or driving stolen cattle from state. S. D. 58, 24 F
- 4638 Butchers to keep record of vendors of cattle slaughtered. Tenn. 18, 24 F
- 4639 **Commercial feed for stock.** Regulating sale of concentrated commercial feeding stuffs; analysis; duties of dairy commissioner. Ct. 219, 20 Je
- 4640 Regulating manufacture and sale of commercial feeding stuffs; license fee; analysis by director of agricultural experiment station. Amending '93 ch.338. N. Y. 510, 3 My
- 4641 Regulating sale of commercial feeding stuffs; analysis. R. I. 631, 3 Mr
- 4642 Experiment station to make one or more analyses annually; inspection tax of 10c a ton for each ton sold; lots or parcels sold to have label giving chemical analysis and name of manufacturer. Vt. 83, 29 N '98
- 4643 Unlawful to adulterate ground grain or feed with oat hulls. Mich. 192, 10 My
- 4644 **Watering stock.** Passage for stock shall be granted to streams and to lakes not surrounded by land of single owner and not under five miles in circumference. Fla. 100, 2 Je
- 4645 **Dogs.** Dog habitually chasing teams, bicycles and persons on highway is public nuisance; complaint; hearing; order to kill. Minn. 286, 19 Ap
- 4646 Dogs killing or wounding sheep may be killed; exception. Amending R.S.'89 §54. Mo. p.176, 29 My
- 4647 Amending C.S.'97 §459 relating to liability of owners of dogs for damages done by them. Neb. 4, 27 Mr
- 4648 Owner to be fined when dog harasses or injures moose, caribou, deer or sheep. N. H. 28, 1 Mr

- 4649 Dogs that will pursue deer not to be allowed to run at large and not to be taken into forest inhabited by deer. Amending '97 ch.390 §44. N. Y. 319, 17 Ap
- 4650 Not to be kept for purpose of hunting deer, moose or caribou; dogs that will follow deer if found running at large in forest and dogs kept for purpose of hunting deer may be killed by any person. Amending '96, 94. Vt. 108, 22 N '98
- 4651 Stealing dog listed for taxes at true cash value is larceny; does not apply where dog has worried or killed sheep. Ind. 123, 28 F
- 4652 Dogs listed for taxation are personal property; larceny. Okl. 12 art.1, 10 Mr
- 4653 Dog tax. License for female dog incapable of producing young \$1.15. Amending '93, 287. Me. 33, 2 Mr
- 4654 All township boards and city councils to appoint dog wardens to collect \$1 to \$3 tax in addition to license fees imposed by ordinances; compensation 25% of collections and \$1 for each dog killed; to provide collars and kill all dogs not wearing same. Amending C.L. §5596-605. Mich. 222, 1 Je
- 4655 Cities and villages of 1000 to 25,000 may levy dog tax of from \$1 to \$3 [formerly \$3 to \$10] (C.S.'97 §1395). Neb. 14, 22 Mr
- 4656 Poultry. State poultry association created; membership; executive board; reports. Amending '93 p.27. Mo. p.42, 17 My

### Dairy products

(See also Foods, 4161)

- 4657 Supervision. Adulteration. State dairy bureau to inspect dairies and factories on complaint; annual reports from dairies of 12 cows. Cal. 136, 22 Mr
- 4658 Revision of laws as to state dairy and food commissioner, and as to milk, butter and cheese. Repealing '91, 11. Minn. 295, 19 Ap
- 4659 Regulating manufacture and sale of dairy products and substitutes; deputy commissioner of agriculture created; salary \$600; brands; licenses for milk dealers; deputy commissioner to be director of farmers institutes. N. D. 72, 9 Mr
- 4660 General act regulating manufacture and sale of dairy products. 11p. Wash. 43, 7 Mr
- 4661 Misdemeanor to add antiseptics to milk, cream, cheese or butter. Minn. 257, 18 Ap
- 4662 State board of agriculture to enforce '95, 115 relating to sale of adulterated butter, oleomargarine and imitation cheese. N. H. 58, 9 Mr

- 4663 Amending penalties for violation of law relating to dairy products ('98 ch.558 §37). N. Y. 435, 25 Ap
- 4664 Dairy cattle not to be fed brewers' malt, vinegar slops, distillery sprouts, etc. U. 34, 9 Mr
- 4665 Imitation butter. Oleomargarine. Imitation butter to be stamped as such; definition; regulation of sale. Id. p.392, 6 Mr
- 4666 Penalty for manufacture and sale of imitation butter as genuine. Mich. 76, '97. *Unconstitutional*. Passed the house without the required enacting clause. *People v. Dettenthaler*, 77 N. W. 450.
- 4667 Revision of law as to oleomargarine. Mich. 147, 23 Je
- 4668 Licensing manufacturers of and dealers in oleomargarine etc.; regulations. Pa. 136, 5 My
- 4669 Grand juries have power in cases of neglect to label oleomargarine; court to specially charge at each term. Amending '95, 101. Tenn. 296, 20 Ap
- 4670 Renovated butter. Process or renovated butter to be plainly marked; district attorneys to prosecute. Cal. 25, 23 F
- 4671 To be plainly stamped on top, side and bottom of original packages and on outside of every retail package. Mass. 340, 5 My
- 4672 Process butter to be plainly labeled. Mich. 254, 22 Je
- 4673 Must be branded. Minn. 94, 23 Mr; Wis. 76, 30 Mr
- 4674 Must be labeled such. Amending '93 ch.338 §27. N. Y. 149, 27 Mr
- 4675 Process or renovated butter to be plainly labeled; dairy and food commissioner to analyse samples; regulations. Pa. 121, 4 My
- 4676 Milk. Borough or city may appoint milk inspector; powers. Ct. 209, 20 Je
- 4677 Milk analysis to be sent in 10 days to party from whom sample was obtained. Mass. 169, 18 Mr
- 4678 Milk containing under 12% of milk solids, or 9% of solids exclusive of fat, or 3% of fat not standard in April to September [formerly August]. Amending P.S. ch.57 §9. Mass. 223, 1 Ap
- 4679 Unlawful to sell milk, skim milk, buttermilk or cream to which water, chemicals or other foreign substance has been added. Mich. 106, 8 Je
- 4680 Measuring glasses used by manufacturers of milk products in testing butter fat in milk purchased to be examined and marked by superintendent of dairy school; no person to manipulate butter fat test without first securing a certificate of qualification from superintendent. Vt. 81, 19 N '98

- 4681 Creameries and cheese factories to pay dairymen monthly on basis of actual amount of butter or cheese produced from the milk purchased of each. **Vt.** 82, 29 N '98
- 4682 Capacity of milk cans to be plainly stamped thereon by county auditor. **Wash.** 88, 13 Mr
- 4683 Misdemeanor to sell milk from cows diseased, kept in unsanitary condition or fed on distillery refuse, or milk treated with any chemicals except sucrate of lime. **Wis.** 313, 2 My
- 4684 Dairymen's association. Dairymen's association may gather statistics for annual report; \$300. **Mich.** 146, 23 Je

### Forestry

- 4685 State supervision. Creating permanent forestry commission; commissioner of state land office ex officio a member; term four years. **Mich.** 227, 7 Je
- 4686 Creating state forestry board; forest reserves designated; board to encourage the growing and preservation of forests. **Minn.** 214, 13 Ap
- 4687 Creating office of game and forestry warden; appointed by governor; regulations for protection of forests and game; deputy wardens. Amending '93 p.45; '95 p.92. **Or.** p.132, 18 F
- 4688 Increasing the power of fish and game protectors and foresters. Amending '95 ch.395 §26. **N. Y.** 533, 5 My
- 4689 Amending payment for land appropriated by state for Adirondack park ('97, 220). **N. Y.** 619, 17 My
- 4690 Increasing power of commissioner of forestry to buy unseated lands for creating forestry reservation. Amending '97 ch.10 §2. **Pa.** 81, 28 Ap
- 4691 Bounties. Exemption. Permanent forest reservations to be appraised for taxation at \$1 an acre. **Ind.** 254, 7 Mr
- 4692 Repealing C.S.'97 §402-3 providing an annual bounty on trees cultivated along section or half-section lines. **Neb.** 3, 22 Mr
- 4693 Repealing G.S. §366-70 granting bounties for planting forest trees. **Nev.** 105, 20 Mr
- 4694 Forest fires. Setting fire to woods wilfully, *carelessly or negligently* [formerly maliciously] a misdemeanor. Amending Code '95 v.3 §698. **Ga.** p.60, 6 D '98
- 4695 Constables of townships and boroughs to be ex officio fire, game and fish wardens; powers and duties. **Pa.** 14, 22 Mr
- 4696 Fire wardens to be appointed in *certain counties* [formerly in every organized town]; *in other counties on request of supervisors*. Amending R.S.'98 §1636c. **Wis.** 353, 4 My

- 4697 **Roads and flumes.** On request of *five* [formerly two] *resident* owners of pine lands, temporary highways may be laid out by commissioner of highways and township board; *not to parallel public road nearer than one mile.* Amending C.L. §4148-51.  
Mich. 65, 10 My
- 4698 Providing for laying out temporary logging flumes. Amending §1833-36. Minn. 160, 11 Ap
- 4699 County courts may declare an unnavigable stream a public highway for the floating of logs and lumber; may widen or deepen such stream; viewfers. Or. p.105, '89. *Void so far as it authorizes taking of private property of nonconsenting land owner without due notice and hearing.* Hood river lumber co. v. Wasco county, 57 P. 1017.
- 4700 Logging or skid roads may, on permission of county court, be constructed on county roads or roads of public easement.  
Or. p.86, 17 F
- 4701 Owners of timber lands may condemn right of way for logging roads or chutes; procedure. Wash. 130, 14 Mr
- 4702 **Brands.** Log dealer may adopt stamp brand; recorded in circuit court; injunction to prevent use of others.  
Fla. 77, 24 My
- 4703 **Miscellaneous regulations.** Public custodian of lost timber to receive \$1.50 for each *hewn stick* recovered; for 1000 feet of lumber \$3 [formerly \$1]; has lien on *chains, iron dogs, boats or yauls* recovered. Amending '91, 35. Fla. 142, 2 Je
- 4704 Felony to steal timber [formerly maliciously]. Amending '97, 106. Tenn. 381, 21 Ap
- 4705 **Turpentine.** Creating naval store inspectors, to grade turpentine and rosin shipped. Fla. 98, 31 My
- 4706 Lease of turpentine orchards in certain counties to expire in January [formerly April]. Amending '91 ch.154.  
N. C. 114, 15 F

## Game and fish

## General

- 4707 General law. Col. 98, 27 Ap; Okl. 15, 10 Mr
- 4708 Revision of law for protection of fish and game except buffalo; governor to appoint fish and game warden.  
Id. p.428, 13 Mr
- 4709 Revising fish and game laws. 28p. Me. 42, 8 Mr; 126, 17 Mr
- 4710 Game to be killed only in certain months; county commissioners may, on petition, prohibit killing of game and catching of fish; owner may protect game and fish on his lands.  
N. M. 51, 15 Mr

- 4711 Generally amending fish and game law. Tex. 56, 4 Ap
- 4712 Revising fish and game law. Repealing R.S.'98 §1034-66. U. 26, 9 Mr
- 4713 Revising fish and game law; state warden. Wy. 19, 15 F
- 4714 Commissioner of fisheries and game, term *four* [formerly two] years; to investigate and protect game birds and song birds and introduce foreign varieties; authority to make arrests; give \$2000 bond; salary \$1200 [formerly \$300] and \$10 for assistance in successful prosecutions. Repealing '81, 53. Ind. 31, 13 F
- 4715 Generally amending '97, 221 as to preservation of game and fish. Minn. 242, 18 Ap
- 4716 Repealing P.S.'91 ch.130 §11-13 relating to appointment of wardens by cities and towns; other amendments. N. H. 30, 7 Mr
- 4717 Private parks and lakes may be maintained for fish and game; trespassing forbidden. Id. p.467, 15 Mr
- 4718 Commissions. Officers. Term of commissioners of fisheries and game to begin *July 1* following appointment [formerly began the day of appointment]. Amending '95 ch.46 §1. Ct. 52, 14 Ap
- 4719 County commissioners to recommend appointment of fish and game warden *on petition of 50 taxpayers*; term *two* [formerly four] years. Amending '97, 49. Fla. 121, 3 Je
- 4720 State warden, salary \$2000 [formerly \$1200]; *may appoint chief deputy at \$1500.* Mich. 37, 17 Ap
- 4721 Increasing powers of fish and game protectors and foresters. Amending '95 ch.395 §26. N. Y. 533, 5 My
- 4722 Constables of townships and boroughs to be *ex officio* fire, game and fish wardens; powers and duties. Pa. 14, 22 Mr
- 4723 Fines. Fines accruing from violation of fish and game laws to be placed to credit of fish and game detective fund. N. H. 9, 15 F
- 4724 Informant, except paid deputy, to have half-fines under fish and game laws; half to state. Mass. 360, 11 My

## Game

(See also Noxious animals, 4548)

### General regulations

- 4725 General game law. Fla. 123, 4 My
- 4726 Revision of game laws. Ill. p.222, 24 Ap; N. D. 93, 8 Mr
- 4727 Creating office of game and forestry warden; appointed by governor; regulations for protection of forests and game; deputy wardens. Amending '93 p.45; '95 p.92. Or. p.132, 18 F
- 4728 Game law amended; hunters' licenses; duties of wardens. S. D. 90, 6 Mr

4729 Generally amending game law.

Wash. 138, 14 Mr; W. Va. 22, 22 F; Wis. 311, 2 My

4730 Generally amending R.S.'98 ch.62 as to game wardens, hunting licenses, transportation of game. 16p. Wis. 312, 2 My

4731 State fish commissioner to be ex officio game warden; supervision of county wardens. Wash. 137, 13 Mr

4732 Slightly amending C.S.'97 §6743b, 6743c, 6743d as to hunting, killing and sale of geese, ducks, deer, etc. Neb. 99, 7 Mr

4733 Export of certain wild game prohibited. Nev. 6, 16 F

4734 Submerged and swamp lands bordering on great lakes set aside as public shooting and hunting grounds. Mich. 171, 23 Je

4735 Sunday to be close season for birds and game. Mass. 116, 1 Mr

4736 Indians connected with a United States agency not to have in possession or bear firearms beyond limits of their county during close game season. Id. p.361, 28 F

4737 Title to game law ('97, 103) amended. Pa. 149, 6 My

#### Game animals

4738 Large game. Protecting large game. S. D. 91, 4 Mr

4739 Deer. Breeders of deer, established three years, may sell; numbered tags on carcasses or parts; reports to game and fish commissioner. Minn. 161, 11 Ap

4740 Moose, caribou and deer not to be hunted with dogs; open season *September 15 to November 30* [formerly September 1 to December 31]; number that may be taken amended. P.S.'91 ch.131. N. H. 30, 7 Mr

4741 Prohibiting for three years the killing or hunting of deer.

N. J. 148, 24 Mr

4742 Elk not to be killed or injured for five years. N. M. 69, 16 Mr

4743 Unlawful to kill elk from Jan. 31, 1899, to Dec. 1, 1910; after Jan. 1, 1911, open season August 15 to November 1.

Or. p.23, 15 O '98

4744 Open season for deer having horns *last 10 days of October* [formerly month of October]. Amending '96, 94.

Vt. 108, 22 N '98

4745 Deer kept in park or enclosure may be killed by owner.

Vt. 109, 22 N '98

4746 Buffalo. Unlawful to hunt or kill. '97 p.17 reenacted to correct *illegality in passage*.

Id. p.294, 16 F

4747 Small game. Persons trapping foxes, minks, muskrats, raccoons, beaver or fisher to visit traps every 48 hours.

Vt. 107, 19 N '98

4748 Unlawful to kill mink, raccoon, skunk or muskrat in September and October.

Mich. 201, 11 My



- 4749** Commissioners of birds to enforce law prohibiting killing of rabbits, hares and gray squirrels in certain seasons. Amending G.L. ch.113. **B. I. 684, 26 My**
- 4750** Rabbits. Amending G.L.'88 §2530; '97, 95 as to killing of wild hare or rabbit. **Ct. 60, 19 Ap; 204, 20 Je**
- 4751** Owner of enclosed or occupied farm lands may kill rabbits and English hares on premises at any time. **N. Y. 642, 25 My**
- 4752** Squirrels. Open season for gray squirrel amended; limiting number a person may have at one time. Amending '97, 95. **Ct. 188, 15 Je**
- 4753** Open season for black and gray squirrels, September 1 to *December 15* [formerly November 30]. Amending '92 ch.488 §49. **N. Y. 141, 24 Mr**
- 4754** Muskrat. Repealing law for protection of muskrats. **N. H. 30, 7 Mr; N. J. 81, 22 Mr**

## Game birds

- 4755** State supervision. Five commissioners of birds to be appointed by governor; one from each county; may appoint deputies to enforce bird laws. **B. I. 679, 24 My**
- 4756** Licenses to be issued to suitable persons for collection of birds, their nests and eggs for scientific purposes. **Ct. 62, 19 Ap; N. J. 180, 24 Ap**
- 4757** General. Close season for grouse, quail and spruce hen December 1 to *October 19* [formerly September 30]; for jack-snipe, blue, bill, canvasback, widgeon, pintail, whistler, spoonbill, butterball, sawbill and wild goose *May 1 to September 1* [formerly February 1 to August 31]. Amending '97, 159. **Mich. 45, 19 Ap**
- 4758** Amending law forbidding selling or taking of certain game birds at any time for purpose of sale (Vt.S. §4613). **Vt. 104, 4 N '98**
- 4759** Close season for upland plover and woodcock changed; not more than five quail, woodcock, English snipe, wild geese or plover, to be taken in one day nor more than 20 wild duck. Amending Vt.S. §4612. **Vt. 105, 26 N '98**
- 4760** Partridge. Grouse. Quail. Open season for woodcock, grouse and quail amended; limiting number a person may have at one time. Amending '97, 95. **Ct. 188, 15 Je**
- 4761** Grouse, partridge and quail, open season September 15 [formerly 1] to *December 15* [formerly January 1]. Amending P.S.'91 ch.132 §2. **N. H. 30, 7 Mr**
- 4762** Minor amendments to '98 ch.54 §74-76 for protection of woodcock and grouse. **N. Y. 536, 5 My**

- 4763 Close season for grouse or prairie chicken November 15 to July 20; unlawful to kill when ground is covered with snow. Or. p.21, 15 O '98
- 4764 Pheasants. Unlawful to catch or destroy Chinese and English pheasants for five years. Ark. 99, 10 Ap
- 4765 Not to be killed before October 1905 [formerly 1900]. Amending '97 ch.41 §1. Ct. 167, 9 Je
- 4766 Prohibiting for six years taking or killing imported pheasants. Ind. 44, 17 F
- 4767 Prohibiting for three years the killing or hunting of ring-necked pheasant. N. J. 148, 24 Mr
- 4768 Rail. Limiting number of sora or rail to be killed by any one in one day. Ct. 157, 2 Je
- 4769 Pigeons. Doves. Unlawful to kill or detain carrier pigeon. Fla. 145, 3 Je
- 4770 Baiting or killing of baited doves prohibited. Ga. p.107, 6 D '98
- 4771 Lawful to shoot pigeons as test of skill in marksmanship. Amending C.L. §11,740. Mich. 234, 9 Je
- 4772 Unlawful to take or kill mourning-dove. Mich. 238, 15 Je
- 4773 Water fowl. Amending the hunting of wild ducks and geese from vessels (G.L.'88 §2541). Ct. 98, 11 My
- 4774 Misdemeanor to shoot wild ducks from April 1 to October 1. Fla. 120, 2 Je
- 4775 Penalty for hunting ducks or geese on feeding grounds between 7 p.m. and 5 a.m. Vt. 106, 19 N '98
- 4776 Close season for water fowl *March 1* [formerly January 1] to August 15. Amending '97, 52. Wash. 5, 2 F
- 4777 Close season for aquatic wild fowl *January 1* [formerly May 1] to September 1. Amending R.S.'96 §4563. Wis. 267, 26 Ap
- 4778 Tern. Unlawful to kill. Me. 116, 17 Mr
- 4779 Eagles. Unlawful to kill for three years. N. H. 44, 8 Mr

### Fish

#### General

- 4780 General law. Ind. 125, 28 F
- 4781 Revision of law G.S.'97, 165; office of commissioner of fisheries abolished and office of state fish warden created. Kan. 142, 6 Mr
- 4782 Generally amending '97, 285 relating to sea and shore fisheries. Me. 70, 15 Mr
- 4783 General law for propagation and protection of salmon, sturgeon and other food fishes; licensing of fish catchers, packers and dealers; fish commissioner and commission; hatcheries. Or. p.37, 18 O '98

- 4784** General law relating to food fishes. **Wash.** 117, 13 Mr
- 4785** Prohibiting the catching of white fish or lake trout in Lake Michigan from October 14 to November 30 of each year; prohibiting use of certain nets; prescribing regulations for shipping fish. **Ill.** p.233, 21 Ap
- 4786** Amending P.S.'91 ch.133 for protection of certain fish; unlawful to have in possession on fresh water any floating device for catching fish; abolishing close season for lobsters. **N. H.** 30, 7 Mr
- 4787** Minor amendment to '98 ch.461 §136 relating to taking of certain fish in Hudson river and other waters. **N. Y.** 426, 25 Ap
- 4788** Close season for pickerel, pike and wall-eyed pike *March 1 to April 30* [formerly February 1 to April 30]; nets for taking minnows for bait to be not more than 6 feet in length or diameter unless special license is obtained for larger; nets not permitted in waters inhabited by trout. Amending '98 ch.109 §110, '97 ch.326 §145. **N. Y.** 701, 25 My
- 4789** Amending '95, 245 relating to fishing in Bachelors bay and Albemarle sound. **N. C.** 310, 28 F; 412, 6 Mr
- 4790** State fish commissioner to appoint two deputy wardens in each county; powers of constable; seize and sell fish unlawfully taken; seize seines and all unlawful devices; Indians subject to fish laws. Amending R.C.'95 §7682. **N. D.** 91, 8 Mr
- 4791** Fish law amended (Ann.S.'99 §3258, 3263). **S. D.** 88, 4 Mr
- 4792** State board. Board of agriculture to promote propagation of fish. Repealing '97, 85. **N. C.** 377, 4 Mr; 720, 8 Mr
- 4793** Generally amending R.S.'95 t.48 relating to fish and oyster commissioner. **Tex.** 175, 5 Je
- 4794** Office of fish and oyster commissioner created; to inspect fish and oysters caught for sale; to issue licenses. **Tex.** 112, '95. *Partly void.* §33-34, providing that only citizens and taxpayers of the state may hold licenses to take oysters. are in violation of bill of rights in that they discriminate against nontaxpaying citizens. *Gustafson v. State*, 48 S. W. 518.
- 4795** Fish culture. Establishing branch hatchery in Grand county. **Col.** 30, 14 Ap
- 4796** Regulating sale of trout artificially raised. **Ct.** 81, 27 Ap
- 4797** Commissioners on inland fisheries and game may occupy and control Mill pond for fish cultivation. **Mass.** 107, 28 F
- 4798** Repealing G.S. §766-73 granting public lands to fish cultivators. **Nev.** 105, 20 Mr
- 4799** Commissioners of fisheries, game and forests may prohibit for five years the taking of fish from waters stocked by state. Amending '95 ch.395 §7. **N. Y.** 535, 5 My

- 4800 Fish which hinder propagation of game or food fish may be removed from public waters by commissioners of fisheries, game and forest. Amending '95 ch.974 §153. N. Y. 537, 5 My
- 4801 Forbidding pollution of waters used by state hatcheries. Amending '92 ch.488 art.2. N. Y. 729, 26 My
- 4802 Giving consent of state to acquiring by United States of land for fish cultural station. N. C. 10, 26 Ja
- 4803 Establishing salmon hatcheries. Or. p. 75, 17 F
- 4804 Fish and game commissioner to erect state fish hatchery; distribution of ova and fry. U. 25, 9 Mr
- 4805 Trout hatched artificially and grown in artificial pools may be taken and sold between February 1 and end of close season. Amending Vt.S. §4569, 4577. Vt. 96, 8 N '98
- 4806 Private streams with consent of owners and town may be closed and stocked by fish and game commissioners; thereafter to be treated as public waters. Amending Vt.S. ch.189. Vt. 99, 26 N '98
- 4807 Owner or occupant can not recover \$10 forfeiture for fishing on land where notice is posted unless he shall stock waters with trout or other fish artificially hatched or reared. Amending Vt.S. §4626. Vt. 101, 30 N '98
- 4808 Distribution of fish by fish and game commissioners. Amending Vt.S. ch.189. Penalty for misuse of fish received or deceit in application. Vt. 103, 21 N '98
- 4809 Establishing 16 hatcheries; appropriation \$44,000. Wash. 133, 13 Mr
- 4810 Commissioners of fisheries may establish temporary hatching stations and contract for transportation of employees and supplies. Amending R.S.'98 §1497. Wis. 203, 18 Ap
- 4811 Governor [formerly state fish commissioner] to appoint two [formerly three] superintendents of hatcheries; salary \$1200 [formerly fixed by commissioner]; repealing '90-91 ch.69 §1 creating office of state fish commissioner. Wy. 36, 17 F
- 4812 Fishways. Mill dams to be provided with chutes for passage of fish from March 1 to June 1. Amending Digest '94 §3429. Ark. 188, 8 My
- 4813 Supreme judicial and superior courts or any justice thereof may enforce orders of commissioners on inland fisheries and game relative to fishways. Amending P.S. ch.91 §4. Mass. 103, 24 F
- 4814 Miscellaneous. Misdemeanor to fish in private pond. Ind. 25, 8 F
- 4815 Misdemeanor to take fish from lakes in cities between November 1 and May 1. Minn. 169, 11 Ap

- 4816 County commissioners may indefinitely extend close season for fishing in waters stocked by others than the state; notice.

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- 4817 Verbal correction in '97, 35 relating to fishing by nonresidents.

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- 4819 Forbidding the taking of fish, except with rod and line, near dams in certain streams.

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- 4820 Unlawful to use net, glg or gun for taking fish from fresh water lake; presence in boat with nets prima facie evidence of gullt.

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- 4821 Amending seizure and destruction of illegal fishing devices; amount of reward changed ('96, 91).

Vt. 98, 17 N '98

- 4822 Seining. Repealing '95, 94 prohibiting fishing in certain waters with seines.

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Del. 250, 23 Mr

- 4824 Unlawful to fish with net *between May 1 and November 1 or with mesh under two inches square.* Amending '97, 44.

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- 4825 Unlawful to use *stop net* over 350 yards long; penalty not over \$1000 [formerly \$500] or not over 12 [formerly three to 12] months or both; *finer, one half to person making arrest, one half to county fine and forfeiture fund.* Amending '97, 43.

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- 4827 Unlawful to stop streams with *finger trap or fall trap.* Amending '97, 44.

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- 4828 Penalty for setting net within 500 feet of another person's weir.

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- 4836 Weirs over 2 feet deep must be stripped from June 25 to August 15. Amending '97 ch.285 §35. Me. 92, 16 Mr
- 4837 Set lines. Fishing with set lines in ponds or lakes prohibited between April 1 and December 1. Ct. 193, 15 Je
- 4838 Explosives. Chemicals. Felony to use explosives or poisons; one year's imprisonment. Ind. 25, 8 F
- 4839 Unlawful to use explosives or chemicals. Or. p.199, 20 F
- 4840 Electricity. Electrical devices for killing or stunning fish added to list of illegal devices. Amending '96, 91. Vt. 97, 16 N '98

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- 4842 Protecting trout, black bass and whitefish. Amending '91, 31; '93, 47; '97, 54. N. H. 21, 1 Mr
- 4843 Regulations for catching of salmon and sturgeon amended ('98 p.37). Or. p.100, 17 F
- 4844 Protecting trout, char and salmon. Or. p.199, 20 F
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- 4847 Taking of trout forbidden between April 1 and July 1 [formerly June 15]. Amending '97, 83. Ct. 93, 11 My
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- 4851 Shad. Herring. Commissioners of fisheries and game may extend season for taking of alewives and shad. Ct. 126, 31 My
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- 4853 Delaware river to be patrolled Sundays during shad fishing season to enforce law. Amending '71, 72. Del. 249, 23 Mr

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- 4855** **Salmon.** Close season except for Columbia river system *November 20* [formerly November 1] to *December 20* [formerly December 15] and April 15 to June 1. Amending '93 p.145.  
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- 4856** **Sturgeon.** Regulating the catching of sturgeon in Columbia  
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- 4858** **Pickereel. Pike.** Law protecting small pickereel amended ('95, 269). Ct. 168, 9 Je
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- 4861** **Sucker.** May be caught with hooks from December 1 to March 1:  
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- 4865** **Oysters.** State oyster commission created; to appoint superintendent; powers; licenses to vessels to engage in oyster business; lease of lands under tidal waters for oyster cultivation; regulations. N. J. 194, 24 Mr
- 4866** Protecting natural oyster-seed grounds; commissioners appointed; regulations. N. J. 56, 21 Mr
- 4867** Unlawful to remove seed-oysters from their grounds; exception. N. J. 49, 17 Mr
- 4868** Protecting oyster industry along shores of Delaware bay and Maurice river cove. Amending '97, 184. N. J. 123, 23 Mr

- 4869 Amending '94, 43 forbidding dredging for oysters in certain part of Delaware bay; exception. N. J. 149, 24 Mr
- 4870 Amending '97, 13 relating to protection of oyster industry. N. C. 18, 28 F
- 4871 Extending the territory over which '97, 13 for protection of oyster industry applies. N. C. 262, 27 F
- 4872 Amending G.L.'88 §2318 relating to filing of application for oyster grounds and of objections to granting application. Ct. 152, 1 Je
- 4873 Penalty for dredging oyster ground without permission of owner. Ct. 154, 1 Je
- 4874 From *October 1 to April 15* [formerly September 1 to May 1] oysters taken *shall not contain over 3% of culls and oysters under 3 inches long*. Amending '93, 100. Fla. 134, 17 My
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- 4876 Unlawful to gather oysters from June 15 to *March 15* [formerly October 31]. Amending '95, 31. Wash. 134, 13 Mr
- 4877 Lands below extreme low tide, not natural oyster beds and not in front of city nor two miles each side, are subject to 20 year lease for oyster planting; present occupants to have preference. Wash. 136, 13 Mr
- 4878 Clams. *Cities* may regulate taking of clams. Amending R.S. ch.40 §25. Me. 11, 15 F
- 4879 Canning, packing, barreling or shipping clams forbidden from June 1 to September 15. Me. 52, 9 Mr
- 4880 Unlawful to take or sell certain sized clams. Amending '46 p.179 and repealing '95. 314. N. J. 138, 24 Mr
- 4881 Lobsters. Lobsters to be measured *without stretching, on gage with cleat at each end 10 1-2 inches apart*; penalty for taking short lobsters \$1 [formerly \$5] each, recovered in action of debt brought by commissioner of sea and shore fisheries, who may settle cases. Amending '97, 285. Me. 81, 15 Mr
- 4882 Penalty for sale of lobsters under size amended ('95 ch.974 §192). N. Y. 188, 31 Mr
- 4883 Terrapin. Reenacting with amendment Code §3377 relating to protection of diamond-back terrapin; repealing all previous amendments. N. C. 582, 7 Mr
- 4884 Sponges. Repealing '97, 50 regulating and encouraging sponge culture. Fla. 136



## CONSTITUTIONAL AMENDMENTS

1898-99

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Georgia...	<sup>a</sup> { 1975						563
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			2262				<sup>b</sup> 1422
			2489				2619
			2494				3179
			3299	Wyoming....			1456
			4339				
			4340	Total number	7	3	62
Montana...			1920				

<sup>a</sup> Submitted as one amendment.

<sup>b</sup> Not repassed by legislature of 1899.

<sup>c</sup> Submitted November 1899 but vote has not been canvassed.

## NEW CONSTITUTIONS

**Alabama.** The legislature at its regular session voted to submit the question of holding a constitutional convention to popular vote but opposition having developed to a general revision of the constitution an extra session was called by the governor and the act submitting the question to vote repealed.

**New Hampshire.** The question of holding a constitutional convention will be voted on in November 1900.

**Rhode Island.** A revised constitution was submitted to the people by the legislature in 1898 and again in June of the present year but both times was rejected. The vote this year was very light. The provision in the proposed constitution for an educational qualification for voting had much to do with its defeat.

**ABSTRACT OF STREET RAILWAY TAX LAWS<sup>a</sup>**

**Alabama.** Taxes are levied on all property, real and personal. Taxes on capital stock may be levied either on the corporation or the shareholder, but property otherwise taxed to the corporation may be deducted. A license tax is imposed by the state.

**Arkansas.** Municipal taxation is levied on all property; stock of the company not being taxable in the hands of the holders.

**California.** All property, including franchises, is taxable, but shares of stock are not assessed at all. Corporations doing business in a city may be required to pay a city license tax.

Franchises in the streets were formerly granted by direct act of the legislature, but now only by the local authorities. Franchises for street railways must be sold at public auction, after due advertisement, and are awarded to the person or corporation offering the greatest percentage of the gross earnings. No franchise which has expired can be renewed unless advertised for sale, but this sale can not be made till within one year of the expiration of the old grant. The minimum rate which may be accepted is 3%, but no tax can be imposed during the first five years.

**Colorado.** All property is taxed; shares and bonds owned by individuals exempt.

**Connecticut.** All property is taxable where located; stock owned by individuals exempt.

**Delaware.** Tangible property of company is taxable; stock and bonds exempt. Special forms of taxation are inserted in the charters of some companies.

**District of Columbia.** Real estate is taxed as to an individual, and in lieu of all personal taxes 4% of the gross earnings is collected.

**Florida.** Tangible property is taxed in the same manner as that of individuals. Stock and bonds are taxed as personal property, and if a tax is paid by the company they are not taxed to the holder.

**Georgia.** If companies do not pay a tax on their stock, the stock is taxed in the hands of the holders.

**Idaho.** The property of a company is taxed to the company in the same way as that of an individual.

**Illinois.** All tangible property is subject to taxation, as is also the fair cash value of the stock, including the franchises, over and above the assessed value of the tangible property.

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<sup>a</sup> This abstract was prepared by the sociology division in response to numerous inquiries for information relative to the franchise tax laws of other states during the consideration of the franchise tax bill of 1899. It has been compiled from the report of the Massachusetts special committee appointed to investigate the relations of cities and towns to street railways, 1898, but has been brought down to date by including laws passed in 1898 and 1899.

The legislature has the power to fix license fees or may authorize their establishment by cities and towns, and these fees are exacted from street railways in Chicago in the shape of a license on the cars employed.

**Indiana.** All property must be taxed at its true cash value, and franchises and privileges are to be assessed as personal property.

**Iowa.** Taxation of real and personal property is the same to a corporation as to an individual. Stock is taxed in the hands of the holder.

**Kansas.** The tangible property of all companies is taxable, and also the market value of the stock over and above the value of the tangible property. This tax is paid by the corporation, and stock in the hands of the holder is exempt.

**Kentucky.** Real and personal property assessed at its actual value. In cities of first and second class franchises are taxed; value of capital stock less value of tangible property is taken as value of franchise. License taxes are laid on street cars in some cities. A municipality may not grant a franchise except after due advertisement and the receipt of public bids, when it may award the same to the highest or best bidder, but has the right to reject any or all bids.

**Louisiana.** Real and personal property assessed by state board of appraisers.

Grants in the streets must be made by the local authorities, and may be either awarded at public sale or according to the terms imposed by the local authorities and set out in a notarial contract. These terms may require a payment to the city and may specify the amount and manner of payment.

**Maine.** Buildings and personal property are taxed by the municipalities and a state tax of .1% is laid on the gross transportation receipts if the same do not exceed \$2000 a mile, and .1% additional for each additional \$1000 or fractional part thereof a mile. A share of the expenses of the railroad commission is also assessed to the street railways.

**Maryland.** Real property is taxed in the county where located, but stocks and bonds are not taxed to the owners in Baltimore if the corporation is located in the city. The state determines the actual value of the stock and deducts from it the assessed value of real property, and the residue is taxed by the state for state purposes. Taxes may be assessed to the company on stock held by nonresidents, and must be paid by the company, and may by it be charged to the stockholders. A state tax of 1% is also levied on the gross receipts of transportation companies, and in Baltimore a special tax of 9% on gross earnings is laid for the maintenance of parks. The park commission of Baltimore is given authority to inspect at any time the books, accounts and fare registers of the city railroads, and any employee of the road found guilty of making false returns in relation to the gross receipts is liable to fine or imprisonment or both. In addition, a license tax is laid on cars, and all license taxes are credited to the account of street paving.

**Massachusetts.** The real estate and machinery of the companies are taxed where located, but rails are not taxed. The difference in value between the market value of the stock of a corporation and the assessed value of the taxable property is taken as the valuation for taxation of the franchise; this tax is assessed and collected by the state and apportioned among the various cities and towns.

In return for the repeal of the law requiring companies to remove from the streets snow displaced in clearing their tracks and to pave and keep in repair the portion of the streets between their tracks, the legislature of 1898 imposed a special tax on the profits of roads paying dividends exceeding 8% and which since they began operation have paid dividends equivalent in the aggregate to 6%, together with a gross receipts tax on all roads varying from 1% to 3%.

**Michigan.** Real property is taxed at the place of location of the principal business office and stock is taxed in the hands of the holder. In Detroit special taxes are laid on the gross earnings at variable rates.

**Minnesota.** Real property is taxed where located, and personal property is taxed in the principal place of business; stock is taxed in the hands of holders.

In St Paul and Minneapolis a license tax is laid on the cars, and the local taxes in St Paul by ordinance are made to equal 3% on the gross earnings, but the real estate tax is deducted from the 3%.

**Mississippi.** Taxes are assessed on actual property and stocks are taxed in the hands of holders. A privilege tax of \$25 is laid by the state on each company.

**Missouri.** The property of the company is taxed where located, and shares of stock are exempt. A return must be made to the state auditor, showing the length of road and all property owned, and from this the state board of equalization fixes the taxable value.

Power to open the streets is granted by the local authorities, under such terms and conditions as may be established; and if municipal officers so desire, franchises for street railways may be sold to the highest bidder, or a per capita tax on the passengers transported, or an annual tax on the gross receipts of such railway, or on each car, may be imposed.

**Montana.** Property is taxed where located, and a license tax of \$50 a quarter is imposed on all street railways located in towns of 4000, and of \$25 in all towns under 4000.

**Nebraska.** The stock and franchises of a corporation are taxed where the principal place of business is located.

**New Hampshire.** Street railways must pay to the state an annual tax on their total property at the average rate of taxation on property throughout the state, in lieu of all other taxes.

**New Jersey.** Real estate and personal property are taxed where located. The state assesses taxes on street railways in various ways. A certain amount of tax is collected through the towns, and for this purpose only the real estate of such corporations is taxable; in addition, a street

railway company must pay direct to the state a tax based on its rate of dividend; and, finally, each company must pay to the state a tax of  $\frac{1}{4}\%$  on its gross earnings. These taxes are called in the law franchise taxes. A municipality has no right to impose a tax under color of a license fee; it has power to exact license fees, but they must be for the purpose of regulating, and can not be used either as a means of prohibiting the use of the franchise or for the purpose of raising a revenue.

**New York.** In cities of more than 1,250,000 inhabitants the franchise must be sold at auction, and granted to the company bidding the largest proportion of the gross receipts.

All roads built after 1884, in cities of 1,200,000, must pay, for five years, 3% on the gross receipts, and afterward 5%; and any road building extensions must pay on such proportion of receipts as the length of the extension bears to the entire length of the road. Local authorities in other cities and towns are given the right to include as a condition for consent the payment of a sum not to exceed 3% of the gross earnings.

A state franchise tax, amounting to  $\frac{1}{4}$  mill on each dollar of valuation for each 1% of dividend, must be paid; but if the dividend is less than 6%, then this franchise tax is  $1\frac{1}{2}$  mills a dollar. In addition, street railways must pay to the state annually 1% on gross receipts, and 3% on all dividends in excess of 4%.

*Franchise tax law of 1899.* Franchises to be considered "real estate" for purposes of taxation. Value of franchise to include value of all tangible property in any street or public place and to be determined annually by state board of tax commissioners. All special taxes paid by companies to the communities to be deducted from the franchise tax. Other street railway real estate to be assessed as formerly by the local assessors.

**North Carolina.** Real and personal property are taxed where located, and a company is allowed to deduct its debts from its solvent credits, and is liable to taxation only on the balance.

**North Dakota.** Real and personal property, including the franchise, are taxable where the principal business office is located.

**Ohio.** Real and personal property are taxed the same as to individuals, and an excise tax of  $\frac{1}{2}\%$  is levied by the state on the total value of the stock. By ordinance license taxes are laid on street railways in various forms. Permission to use the streets is granted by the local authorities by ordinance, and can only be given, after due notice by publication, to the person or corporation agreeing to carry the passengers at the lowest rate of fare. Grants may require a payment to the city of a certain sum a lineal foot of each car run on the route or of a percentage of gross earnings, or both.

**Oregon.** Real estate and personal property are taxed where located, and stock is taxed in the hands of holders.

**Pennsylvania.** Real and personal property are taxed where located. A state tax is levied on the value of the capital stock, at the rate of 5

mills on its actual value. Bonds and mortgages are taxed to the holder, at the rate of .4% on the par value; but the companies are required to deduct this amount from the interest as paid and pay the same to the city treasurer, so that they are practically taxed to the company. A tax of 6% on dividends in excess of 6% on the paid in cash capital is levied by the cities, and they are also allowed to levy a license tax on all cars used by street railway companies.

**Rhode Island.** Real and personal estate is taxed where located and an individual stockholder is taxed on the difference in value between the market value of his stock and the amount a share at which the property of the company is taxed.

The legislature of 1898 passed an act applying only to such roads as accept its provisions prior to Oct. 16, 1899. After such acceptance the act forms a contract that can not be altered without the consent of both parties. In return for some concessions and in lieu of all other special taxes except those at the time imposed by cities and towns, a state tax of 1% is imposed on all companies paying a dividend of 8% or less; companies paying a dividend exceeding 8% are required to pay an amount equal to the excess of such dividend over 8%.

**South Carolina.** Real and personal property are taxed where located, and certain municipal corporations are also authorized to impose a license fee.

**South Dakota.** Real and personal property are taxable; the personal property in the place where the principal place of business is located; the tracks of a street railway company are held to be personal property.

**Tennessee.** Street railways are assessed on the full value of their capital stock and bonded debt. A privilege tax may also be levied on corporations using the streets, fixed for street railway companies at \$350 a year, in cities or towns of 30,000, at \$150 a year in cities or towns from 8000 to 30,000, and at \$50 a year in cities and towns under 8000. The consent of the local authorities must be obtained for the use of the streets, and they may prescribe such conditions as they deem proper.

**Texas.** The tax on real and personal property of street railways is the same as that on property in hands of private holders. Stock is taxed in the hands of holders.

The use of the streets must be granted by the local authorities, and cities and towns may regulate the service and rates to be charged, and may also require the payment of a tax for the privilege of doing business.

**Utah.** Real and personal property including franchise assessed by state board of equalization.

**Vermont.** The tangible property of companies is taxed where situated, and the stock is taxed in the hands of holders. In determining the value of the stock, the value of the tangible property is deducted and only the remainder taxed.

**Virginia.** Real and personal property are taxed for state purposes where located, and the stock of the companies is also taxed. In the case

of street railways, local taxation is usually imposed in the form of a percentage on gross receipts in lieu of all other taxes, excepting such special license taxes as may have been imposed.

**Washington.** Real and personal property are taxed where located, and stock is taxed in the hands of the holders as personal property.

**West Virginia.** Real estate is taxed where located, and the actual value of the capital invested in personal property is determined by taking the aggregate value of all such property, including money and credits, and deducting therefrom the debts, and the difference is taxed where the principal business office is located.

**Wisconsin.** Street railways to pay 2% on gross receipts if under \$500,000, 4% if over \$500,000. Tax to be divided among towns in which company operates, on basis of mileage located in each town.

When a company desires a franchise in any town, the local authorities shall draw up a statement of the terms and conditions on which such road shall be operated, including the rates of fare, and shall invite proposals for the purchase of such franchise on these terms and conditions, payment to be a certain percentage of the gross earnings, and the franchise shall be awarded to the company bidding the highest percentage. In the case of extensions of railroads already in existence, a sum, to be paid annually, shall be bid in lieu of a percentage of the gross earnings.



# SUBJECT INDEX

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University of the State of New York

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# State Library Bulletin

LEGISLATION No. 12

May 1900

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## TREND OF LEGISLATION IN THE UNITED STATES

BY

ROBERT HARVEY WHITTEN PH.D.

*Sociology librarian*

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University of the State of New York

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# State Library Bulletin

Legislation no. 12 May 1900

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## TREND OF LEGISLATION IN THE UNITED STATES

BY

ROBERT HARVEY WHITTEN PH. D.

SOCIOLOGY LIBRARIAN

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## TREND OF LEGISLATION IN THE UNITED STATES

It is the purpose of this monograph to sketch the general trend of recent legislative regulation from a sociologic standpoint. Laws relating to the organization of the government itself are not considered, merely a broad, comprehensive view being given of the general tendency of attempts at social regulation and control.

Early legislation consists almost exclusively of direct commands and prohibitions, as is well exemplified in the Mosaic laws and the laws of the American colonies. The statute books consisted of long lists of thou shalts and shalt nots, enforced by the stocks, the torture, the dungeon and the gallows. The New England colonies attempted to control by this simple and direct method not only a man's public relations but also his beliefs, speech, morals, amusements, dress and other private affairs to a degree difficult at present to comprehend. With the general advancement of civilization this wasteful and inefficient

method of control has gradually been giving way to indirect but vastly more effective methods.

A similar change on a much broader scale has been going on in the industrial world. The barbarian accomplishes practically everything by direct physical force; he opposes his own unaided muscle to that of his fellows and to the forces of nature. Gradually he learns that he can accomplish certain things more easily by indirect methods; he makes tools and weapons that are many times as effective as direct physical force. Then with the aid of science man learns not only to ward off but to use natural forces for accomplishing his own purposes. The marvelous achievements in the arts and industries have resulted from the marshaling of the physical forces to the service of mankind. Electricity, which once brought only destruction and terror in the lightning stroke, now serves man in a thousand ways. Human passions, desires and ambitions may be as destructive as the lightning or of supreme social beneficence and utility. It is the problem of social economy to control and use these social forces. As compared with the mechanical appliances for the control and use of physical forces the social institutions for the control and use of social forces developed both through legislation and private initiative are as yet crude and evince a comparatively undeveloped collective intelligence.

In the progress of legislative control three general stages may usually be recognized. In the first the main idea is to overcome, dissipate or destroy inimical forces; in the second so to control and direct them that they become beneficent instead of harmful; and in the third so to concentrate and organize beneficent forces that their effect is enormously increased. The first is protective and repressive, the second reformative and preventive, the third positively productive: the policeman and the prison are typical of the first; the reformatory and the asylum of the second; and the school and the library of the third. The extent to which the first has been supplanted by the second and third is the best index of political intelligence and of the degree to which legislation has become scientific.

## POLICE REGULATIONS

**Sunday observance.** The progress of liberal principles is nowhere more manifest than in the history of Sunday laws and their enforcement. Many of the colonies had Sunday laws of the most drastic character, and what is more important they were usually enforced. Every person was required to go to church, and amusements, recreations, travel and "worldly work, except of charity or necessity" were forbidden. With the separation of church and state and the establishment of religious liberty the compulsory church attendance laws were repealed, but the other Sunday laws were retained almost unchanged until within recent years, though through general disregard and liberal interpretation they gradually lost much of their early rigorous character and in many cases became dead letters. Not until 1893 however was it lawful in New Jersey to publish or sell newspapers, to sell and deliver milk or to walk, ride or drive for recreation; and in Connecticut recreation was unlawful until 1897, and during the past year that state has passed a law permitting the running of electric cars on Sunday. In the western states generally a more liberal policy has prevailed from the start. Arizona, Idaho and California have no Sunday laws. California repealed its Sunday laws in 1883, but 10 years later passed an act on humanitarian rather than religious grounds, making it unlawful for an employer except in cases of emergency to cause his employees to work more than six days in seven. It is being practically recognized that rest does not necessarily involve either suspended animation or the use of an anesthetic, but merely a change of activity; the great vital processes of transportation and communication and the registering of social sensations through the public press must go on if social vitality and consciousness are to be kept up.<sup>1</sup>

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<sup>1</sup> Important books on Sunday legislation :

J. H. Trumbull, *Blue laws true and false*. Hartford 1876.

A. H. Lewis, *Critical history of Sunday legislation*. New York 1888.

W. A. Blakely, *American state papers bearing on Sunday legislation*. New York 1891.

**Liquor traffic.** State prohibition of the liquor traffic has during the past 50 years existed for a time at least in 17 states,<sup>1</sup> but has now been abolished in all but five sparsely settled and distinctly rural states: Maine, New Hampshire, Vermont, Kansas and North Dakota. A number of states have passed laws permitting the local governments, cities, towns or counties, by popular vote to prohibit the liquor traffic within their own borders, and in these states numerous rural communities have so voted. In order to reduce the evils of the liquor traffic by taking it out of private hands and in order to secure to the state all profits from the traffic, the state dispensary system has been evolved. This system, which provides for the sale of liquor through public agents, was first established at Athens, Georgia in 1889, and was adopted by South Carolina in 1892. South Dakota repealed its prohibitory law in 1896 and adopted a constitutional amendment in 1898 for the manufacture and sale of liquors exclusively under state control by salaried agents, but the legislature has as yet refused to enact the necessary legislation to put the dispensary system in operation and has submitted to popular vote in November 1900 the question of the repeal of the dispensary amendment. Alabama has passed an act permitting cities, towns and counties to establish dispensaries.

The most interesting laws sociologically however and those most pregnant for the future are the ones which seek to treat inebriety as a disease and to give each child a scientific knowledge of the physiological results of alcoholism. A Massachusetts act of 1889 established a state hospital for dipsomaniacs and inebriates and provides that any inebriate may be committed to this institution for a period of two years in the manner provided for the commitment of the insane, and may be released on parole as soon as considered cured. Nine other states have enacted somewhat similar legislation.

In all but seven states and territories<sup>2</sup> the teaching of physi-

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<sup>1</sup> See E. L. Fanshawe, *Liquor legislation in the United States and Canada*, p. 32.

<sup>2</sup> Arizona, Georgia, Idaho, New Mexico, Oklahoma, Virginia, Wyoming.

ology and hygiene with special reference to the nature of alcoholic drinks and other narcotics and their effects on the human system has been made a required study in all public schools. Though such laws often go to extremes and require the waste of much time in teaching distorted facts, and though the scientific method would be to teach physiology and hygiene thoroughly but without special reference to any particular phase of the subject, the idea behind the plan, namely the substitution of intelligence for physical force in the battle against intemperance is certainly a great step in advance and in line with the ultimate solution of the problem.

**Marriage and divorce.** The trend at present appears to be to place safeguards around entering into the marriage contract, to provide for the perpetuation of the record and to further the dissolution of the bond in cases of very evident failure. All but seven states and territories require that a license shall be procured, and all but Pennsylvania and South Carolina require a solemnization by certain designated persons. In most states however failure to conform to these requirements does not render the marriage void but sometimes renders the parties liable to fine or other punishment. 32 states have prescribed minimum ages at which minors are capable of marrying, ranging from 14 to 18 in the case of males and from 12 to 16 in the case of females; the average "age of consent" is slowly increasing.

During colonial days divorce was very infrequent and was granted if at all by the colonial legislature and in some cases by the governor. During the latter part of the eighteenth century however a few states gave the courts power to grant divorce for adultery and cruelty. In the first half of the present century the legislatures of most of the states were prohibited from passing special divorce laws, and in all but a few of the remaining states the practice fell into disuse. In Delaware, till the adoption of the constitution of 1897, the legislature granted many more divorces than the courts and in Connecticut the legislature may

still grant divorces for causes for which the courts can not, and each session a few such acts are passed.

During the century the statutory causes of divorce have increased somewhat in number and at present there are five very generally recognized causes: adultery, desertion, cruelty, neglect to provide and drunkenness or imprisonment. South Carolina however grants no absolute divorce and in New York absolute divorce is granted for adultery only. In Washington on the other hand after enumerating numerous other causes the statute provides that "a divorce may be granted . . . . for any other cause deemed by the court sufficient, and the court shall be satisfied that the parties can no longer live together." Prof. W. F. Wilcox however in a careful study of divorce statistics has shown that little connection can be traced between the divorce rate and legislation. In states where the economic and legal emancipation of woman is most advanced and in the newer states where as in all new communities there is a tendency to relax traditional standards, the divorce rate is high, regardless of varying statutory provisions. Where a divorce is desired by both parties it is not usually impossible to adapt the cause assigned to the legal cause required, and where public sentiment sanctions the result judicial interpretation will make "cruelty" and "neglect to provide" cover a multitude of cases.

For obvious reasons of convenience and interstate comity a divorce granted in one state is operative everywhere; except under certain conditions in New York, North Carolina and South Carolina. This privilege has been greatly abused by residents of one state going to another having more liberal laws and after securing a nominal residence obtaining a divorce, often without the knowledge of the defendant to the suit. This has led to a demand for uniform divorce laws, particularly as to residence required and procedure. It was largely to secure this that the state commissions on uniform laws were established. They have found the solution of the problem quite difficult, but at their 1899 conference proposed acts were considered pre-

scribing causes and procedure which if adopted by the 1900 conference will be recommended to the states.<sup>1</sup>

**Public health and safety.** It has not been many years since the work of the state in the interest of public health was confined to the abatement of public nuisances, on the initiative of an individual or of the local police, and the quarantine of contagious disease. With increased sanitary knowledge, regulations became more numerous and detailed and special officers were charged with their enforcement, and with still greater scientific knowledge of the factors involved methods of control and prevention are being discovered which promise much for the future.

*Boards of health.* The state boards of health have taken the most prominent part in the development of improved methods of control. The first state board was established in Massachusetts in 1869. As then organized it had no compulsory authority, its duty being simply to make sanitary investigations and to diffuse the information thus gathered among the people. Its function was one of enlightenment and, though it has since been vested with numerous and important powers, none have proved more potent. Other states have followed the example of Massachusetts till now state boards exist in all but five states.<sup>2</sup> In all states there are local boards of health or health officers, and there is at present a strong movement for the creation of a national board. With the establishment of such a board to carry on extensive scientific investigations relative to the cause and cure of disease, to collect vital statistics and to disseminate information drawn from all sources as to the best sanitary and hygienic methods, a new epoch in health legislation will have begun.

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<sup>1</sup> Most important authorities consulted:

Carroll D. Wright (U. S. commissioner of labor) Report on marriage and divorce in the United States, 1867 to 1886. Washington 1889.

Walter F. Wilcox, The divorce problem; a study in statistics (Columbia university studies in history, economics and public law, 1891, v. 1, no 1)

William T. Nelson, Treatise on the law of divorce. Chicago 1895.

<sup>2</sup> Georgia, Idaho, Montana, Oregon, Wyoming.

*Vital statistics.* For the determination of the causes of disease and the influence of employment, locality and condition on health, carefully compiled vital statistics are indispensable. Some provision for a general registration of vital statistics is now made by statute in all but 14 states, though the law in many cases is wholly or partially inoperative. Detailed statistics for the whole country are contained in each decennial national census. The value of statistics of any kind is in proportion to the extent of territory over which they are uniformly compiled. Vital statistics of a single city are valuable, but their value is immensely augmented if there are available for comparison statistics prepared according to the same plan for the other cities and communities of the state, the entire nation or throughout the leading nations of the world. The natural trend will therefore be in the direction of cooperation between the states, national supervision and international cooperation and uniformity.

*Bacteriologic laboratories.* Delaware, Vermont, Maryland and Ohio have recently established bacteriologic laboratories for the examination of drinking water and the determination of suspected cases of contagious disease. In this as in many other matters the states have merely followed the example of the large cities where the need of such institutions was first felt and provided for. As a rule the use of a state laboratory and all the investigations therein are free to the people of the state. Sanitary intelligence is of such value as a social regulator that its distribution may well be a public charge.

*Pure food laws.* A greatly extended market, large scale production and chemical discoveries have combined to bring about and render difficult of detection numerous food and drug adulterations and imitations. Antiseptics and preservatives of various kinds are used to defraud and deceive, many of which are harmful and some positively dangerous to health. Investigations have shown that almost all kinds of food are being adulterated and counterfeited to an alarming extent. Owing to the importance of the farming interest legislatures have as



yet devoted their attention mostly to imitation or adulterated milk and milk products. All the states and territories except Arizona, Texas and Wyoming have more or less drastic dairy laws and 16 states have a state dairy commissioner or similar officer. General pure food laws have been passed in 23 states, but only a few of these have as yet made adequate provision for their enforcement. These laws usually provide that any article shall be deemed adulterated and its sale unlawful if it contains any inferior or poisonous substance, if any valuable ingredient has been removed, if it is an imitation of or sold under the name of another article, if it is unwholesome or infected, if it is colored to conceal inferiority etc.; but certain common mixtures are permitted if labeled with ingredients. As yet no national law has been enacted. State regulations can not affect interstate commerce and therefore in order to secure effective control it is necessary to have a national law supplemented by uniform state laws. The National pure food and drug congress is drafting a uniform law which it will recommend for adoption by the states. At present prominent physicians and chemists differ radically as to the food value or injurious effects of many imitations, adulterations and preservatives, and for intelligent regulation it is therefore necessary that thorough investigations should be undertaken. When this has been done, the knowledge thus obtained will have to be diffused among the people, and measures taken to make it possible for the buyer to know the ingredients of the article bought. Popular intelligence and publicity are the best possible regulators.<sup>1</sup>

**Practice of professions and trades.** It is rapidly being recognized practically that government officers and employees form but a small part of the number that are really in the public service. Government is confused with the social state while in reality it is but one of many organs for the attainment of the ends of the social state. Governmental employments are

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<sup>1</sup> For a compilation and digest of state and national pure food and dairy laws see 14th annual report of the United States bureau of animal industry, 1897, p. 531-703.

public because they intimately affect the general welfare but many so called private employments affect the general welfare in equal measure. This is practically recognized in the numerous laws rapidly being adopted for regulating admission to the practice of law, medicine, dentistry, pharmacy and veterinary medicine and providing for the examination and licensing of embalmers, barbers, horseshoers, engineers, electricians and public accountants. The proper exercise of these trades and professions is believed to be of such social importance that the applicant for admission is required to pass an examination to determine his fitness and ability in much the same way as if he were trying for a government position under the merit system.

For admission to the bar 21 states and territories require an examination in all cases, 16 require either the approval of a law diploma or an examination, and in the remaining 11 admission is governed by the rules of the court. For admission to the practice of medicine 29 states and territories require an examination in all cases and the remaining, with the exception of Kansas, the approval of a medical diploma or an examination by a duly qualified board. For dentistry 23 states require an examination in all cases and the others, except Wyoming, the approval of a dental diploma or examination by a duly qualified board. For pharmacy 17 states require an examination in all cases and the remaining states and territories, except Arizona and Nevada, a diploma, examination or certification of some kind. For veterinary medicine five states require an examination in all cases and seven a diploma, examination or certification of some kind.<sup>1</sup> Beginning with Virginia in 1894 10 states have passed laws for the examination and licensing of embalmers, and beginning with Minnesota in 1897 five states have provided for the examination and licensing of barbers. New York and Pennsylvania have recently made provision for the examination and certification of public accountants.

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<sup>1</sup> This summary of law, medicine, dentistry, pharmacy and veterinary medicine requirements is compiled from James Russell Parsons jr's monograph on Professional education, to which the reader is referred for more detailed information.

## REGULATION AND PROMOTION OF INDUSTRY AND COMMERCE

**Labor.** In the United States nearly the entire field of labor legislation is left to the states. The national government has power to interfere only for the purpose of regulating immigration and interstate commerce. To find out what has been done on any given subject it is therefore necessary to examine the statutes of 48 states and territories. Nor is this all, for after a statute has been passed by the legislature it may be declared void by the courts as in violation of the constitution of the state or of the United States. This is specially important in the case of labor legislation, where constitutional questions relative to contract rights and the extent of the police power are constantly coming up. Numerous legislative enactments in the interest of labor have been declared void by the courts and from a study of past decisions it is certain that many others will be so declared if their constitutionality is ever tested.

In factory laws and labor legislation generally the statutes of Massachusetts have usually been in advance of those of other states, just as those of England have been in advance of those of Massachusetts. New York and Pennsylvania have also been leaders. It was in these three states that laborers were first brought together in large workshops; it is here that population is most dense, industrial conditions most complex and the means of betterment through organization and political pressure most effective. As manufacturers have developed in other states formerly almost exclusively agricultural and the conditions in the older states have been reproduced in the newer states of the west, the laws developed to meet those conditions in the older states have been gradually adopted in the newer or industrially less advanced states.

*Labor bureaus and commissions.* State activity to promote the interests of laborers generally may be said to have begun with the establishment of the Massachusetts bureau of labor statistics in 1869. It was ordered to collect, assort, arrange and present in annual reports statistical details relating to all departments of labor, particularly in relation to the commercial,

industrial, social, educational and sanitary condition of the laboring classes, and to the permanent prosperity of the productive industry of the commonwealth. It was the first bureau of the kind not only in the United States but in the world and marks a most important epoch in the history of labor legislation. It was the beginning of a movement to secure publicity concerning factory conditions and to provide the legislator with some of the facts necessary for the scientific regulation of industrial conditions. The example of Massachusetts was followed by Pennsylvania in 1872, Connecticut in 1873 and Ohio in 1877; in the next few years many more bureaus were established and they exist at present in 32 states. The United States bureau of labor was established as an office in the department of the interior in 1884 and reorganized as the department of labor in 1888. Incompetence and partizanship have made the reports of many of the state bureaus almost worthless, but others, notably those of Massachusetts, have been of great value and on the whole the bureaus have exerted a great influence for the betterment of industrial conditions through the direction of intelligent legislation, the encouragement of self-help and the bringing into play of that great social force and regulator, public opinion. The United States department of labor has done for the whole country what the local bureaus have done for the individual states, and it has carried on many extensive investigations of great value.

*Factory regulations.* 20 states have factory regulations for the protection of the health, safety, comfort and morals of laborers. Among the regulations in force in a large number of states are the following: general provisions relative to heating, lighting, ventilation and other sanitary conditions; fans or dust blowers must be provided to remove noxious vapors or dust peculiar to particular industries; overcrowding is prohibited; belting, shafting, gearing and drums must be securely guarded; where machinery is propelled by steam suitable communication must be provided between each room and engine room in order to control motive power in case of accident;

openings for hoistways, hatchways etc. must be protected; machinery other than steam engines must not be cleaned while running if inspector deems it unsafe; proper fire escapes must be provided; separate closets must be provided for the sexes and suitable wash and dressing rooms for women; all accidents must be reported.<sup>1</sup>

*Factory inspection.* The states that are farthest advanced industrially have not stopped with the enactment of factory laws but have usually created a force of state inspectors whose special function it is to see to their enforcement. In most cases it is the custom of the state to rely on individual initiative and the local police to enforce its regulations, but this has been found to work very poorly in the case of factory laws. To be of value they must be uniformly and continuously enforced. In many cases moreover it is not wise to lay down rigid rules, as the best results are obtained by leaving many broad matters to the judgment and discretion of the inspectors; a specially trained force is therefore essential. In many states a department of factory inspection has been created, in others inspectors are appointed by the labor bureau or commissioner and in Massachusetts the chief of the district police has under his direction a force of factory inspectors. 20 states have established some system of state inspection. The chief factory inspector usually publishes an annual or biennial report to the legislature which like the reports of the labor bureaus and commissions are of great value in directing legislation and in securing publicity concerning factory conditions.

*Sweat shops.* The sweating system has developed chiefly in the larger cities, particularly New York, Boston, Philadelphia and Chicago; and it was in the states containing these cities that the attempt was first made to regulate it. At present there are laws on the subject in Massachusetts, Connecticut, New York, New Jersey, Maryland, Pennsylvania, Ohio, Indiana, Michigan, Illinois, Wisconsin and Missouri.

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<sup>1</sup> See Synopsis of inspection laws of various states, 15th annual report of the Michigan bureau of labor statistics, 1898, p. 193-206.

*Mining.* The peculiar dangers incident to this industry have led states having considerable mining interests to enact special laws to protect the health and safety of miners. 27 states have laws regulating labor in mines and 24 have established a system of state inspection.

*Employer's liability.* The liability of employers for injuries to their employees has recently been greatly extended in many states. Under the common law the employee was not allowed to recover from his employer for an injury resulting from the negligence of a fellow servant or coemployee. Under a system of hand labor where a few laborers worked together each might be expected to know the character and reliability of his fellow laborers and to assume any risk attendant on working with them. But the conditions of modern industry are very different. An employee in a large factory or in a great railway system may suffer from the negligence of any one of a thousand men, some of whom he has never seen. It is in the railroad business that the injustice of the old common law rule has been most evident and consequently several laws have been passed modifying the common law rule as to railroad employees while leaving it in force as to others. Other statutes have extended the employer's liability to cases where the injury is caused by the negligence of any coemployee not of exactly the same grade or rank as the person injured. The old rule has been changed not only by statute but by court decision, the tendency being to hold that "the employee does not assume any risks which might be averted by the greatest care on the part of the employer in the choice and construction of machinery or other appliances, and in the selection of other agents or servants."<sup>1</sup> The statutes of Massachusetts, Indiana, Colorado and Alabama agree substantially in making the employer liable where personal injury is caused to an employee while exercising due care and diligence by reason of 1) defects in machinery or appliances due to negligence of employer or a coemployee; 2) the negligence of any person exercising super-

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<sup>1</sup> F. J. Stimson, Handbook to the labor law of the United States, p. 161.

intendence; 3) the negligence of any coemployee having charge of any railway signal, switch, engine or train.

*Free employment bureaus.* Several states have provided for the regulation and licensing of private employment agencies and intelligence offices, but only seven have entered the field in competition with private enterprise by establishing free employment bureaus. As yet neither state nor private enterprise has succeeded in making more than a beginning toward the organization of a continuous market or exchange for the purchase and sale of labor. That such a labor market is essential to the most efficient organization of industry is apparent. As wages tend on the whole gradually to rise, the absence of the free competition to be secured by such a market bears most heavily on the wage earner.

*Arbitration.* In 1886 Massachusetts and New York established state boards of arbitration and at present permanent state boards exist in 16 states, and provision for mediation or arbitration of some kind in eight other states. An act of the national government in 1888 as amended in 1898 provides for mediation and arbitration in case of labor troubles on railroads engaged in interstate commerce.<sup>1</sup>

*Corporations.* During the first half of the century corporations were almost universally chartered by special act of the legislature. With their rapid multiplication the evils of this system became so pronounced that many states adopted constitutional provisions forbidding incorporation by special acts, and at present corporations are almost universally organized under general laws. Ordinarily incorporation is accomplished by merely filing with the secretary of state articles of incorporation stating the name, object, purpose etc., and paying an organization fee. The frauds that this loose method has permitted and the injury resulting not only to innocent investors

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<sup>1</sup> For farther information the reader is referred to the following books which have been of great assistance in preparing this review of labor legislation:

F. J. Stimson, *Handbook to the labor law of the United States*. New York 1896.

United States commissioner of labor, *Labor laws of the United States*. Ed. 2. Washington 1896.

but to business confidence and the public generally, have led to attempts at regulation. These have usually first consisted of stringent statutory enactments without any adequate method of enforcement. Massachusetts has evolved the most satisfactory system of regulation. It has a state commissioner of corporations who examines and approves the certificate of organization. Corporations are required to make annual statements to the commissioner relative to meetings, shareholders, capital stock, and assets and liabilities in such form and with such detail as he may require. No corporation can begin business till the whole amount of its capital stock has been paid in. If paid in property other than cash the commissioner of corporations must certify that the valuation placed on the property is fair and reasonable. If all states had regulations of this kind the prospect would be much brighter, but as a corporation organized in one state can do business in any state promoters whose financial schemes will not stand the publicity enforced by Massachusetts, incorporate under the laws of some other state. New Jersey's liberal laws and small incorporation fee have made it the favorite state for incorporation; it receives enough from these fees to pay a large part of the expenses of the state government. Its success in this regard has led a few other states to try to emulate its example. It seems doubtful therefore whether the states can be induced voluntarily to adopt uniform regulations, and the only other remedy lies in the substitution of national for state supervision and control.

**Industrial combinations.** During the past 20 years industrial organization has been taking place on a gigantic scale. Combinations or trusts have been and are being formed to control the supply of all kinds of commodities. Legislators have usually looked on the new development as unquestionably evil and for a cure have turned to that most primitive and simple specific, prohibitory legislation. The national government and 29 states have passed laws specially constructed to prohibit trusts; but all this legislation has served thus far only to harass and annoy but not materially to impede the development of



the trust. The trouble seems to be that any law drastic enough effectually to prohibit the trust will at the same time prohibit many forms of combination and organization recognized as highly beneficial. Thus far the labor organizations have been the principal sufferers from legislation intended solely to destroy trusts. In some phases the fight against industrial combinations is simply a fight against a new laborsaving method that during a period of readjustment throws certain classes out of employment, but in other respects it is a protest against the exercise of unlimited power by men who have no conception of social responsibility and who adopt the nearsighted policy of increasing prices and curtailing production. It is beginning to be recognized that enforced publicity of the affairs of the trusts and regulations to prevent discrimination will prove more potent for the correction of its real evils than prohibitions of the most drastic character. With full publicity secured and discrimination prevented, the regulating power of public opinion and potential competition will certainly assert itself. Publicity serves the same function as city street lighting; it furthers legitimate business and prevents crime.

**Banking.** It is the peculiar function of the banking system to apportion to the use of the various industrial agents the existing supply of capital. The importance of this function has led to a more thorough recognition of the necessity for publicity as to the affairs of banks than of any other class of corporations. The national banks are subjected to strict supervision and inspection by the national government and state banks are more or less carefully supervised in 29 states and territories. To meet changed industrial conditions new kinds of banking institutions have recently been developed. The trust company was made necessary by the growth of corporations and the organization of industry. The safe-deposit companies have supplied the demand for financial warehouses. The building and loan association is a specialization of the bank to meet the wants of small investors. The trend at present is to extend to these new kinds of banking institutions the supervision now exercised over banks.

**Insurance.** Most states have established special insurance departments and the others have given to some existing officer the duty of supervising insurance companies. The regulations adopted by the various legislatures ostensibly in the interest of the policyholder have very often resulted in benefit to the dishonest holder and in increased expense to the company, followed by increased rates of insurance. In general, restrictions on the right of contract have proved detrimental while regulations to secure publicity have been of inestimable value.

The field of insurance is being rapidly extended to cover all kinds of risks. Accident and casualty insurance of all kinds is making remarkable progress. During the past few years the surety and fidelity companies have been revolutionizing methods of executing official bonds. The states are rapidly authorizing the acceptance of surety companies on all official bonds and many are authorizing the payment of premiums out of public or trust funds. The companies are in some cases supplanting government in its function of inspection and regulation. It is estimated that at the present time employers liability insurance companies pay out about \$500,000 annually in the inspection of boilers, elevators and mechanical appliances. In Massachusetts steam boilers that are under the periodically guaranteed inspection of insurance companies are exempt from inspection by the state inspector. The companies often assist directly in the essentially governmental function of fire protection, and their inspection and regulation of the building risks that they assume have probably done more in the interest of public safety and security than have governmental building laws and inspections. It is a substitution of free contract for governmental coercion. The great drawback however arises from the fact that the competition between the companies is so severe that their inspections are frequently shams. Were this drawback removed the companies would become most powerful regulators of public safety and security.

The business of the companies is seldom confined to any one state but usually extends to all the states. Many states have

adopted the policy of imposing more severe conditions on the corporations of other states than on their own and this has led to retaliatory laws. The companies are often compelled to bear the expense of periodical examinations by each of the 48 states and territories when one thorough examination by a central authority would be much better, and the conflicting regulations of the different states are extremely annoying. In order to obtain the best results the jurisdiction of the supervising authority should be as extensive as the institution supervised, and there is at present a movement to secure national supervision of insurance.

**Transportation.** Early attempts at railroad regulation were confined chiefly to the securing of competition. It was thought that competition would insure equitable rates in this industry as it had in others. The essentially monopolistic character of the enterprise and the waste and public inconvenience arising from the duplication of tracks and the multiplication of systems were not appreciated. Legislatures did what they could to encourage the building of competing lines and to prevent pools and consolidations. This policy to a certain extent still prevails in most states and pools are prohibited by national law, but a few states have taken measures to prevent the needless duplication of tracks by providing that the railroad commission or other board shall certify that the construction of the road is demanded by "public necessity and convenience." In most states however the right of eminent domain may be exercised for the construction of a road wherever and whenever private interests dictate.

Exclusively legislative control soon proved inefficient and had to be supplemented by administrative and judicial control. Special railroad commissions have been formed in 31 states and vested with numerous administrative and judicial powers, and in 1887 the national interstate commerce commission was created. These commissions naturally divide into two classes, the weak and the strong, according as they have or have not general powers to regulate rates in addition to powers of super-

vision and advice. The Massachusetts commission is the type of the weak commission and the Illinois of the strong. The interstate commerce commission holds an intermediate position. The opinion is fast gaining ground that full publicity will correct at least 99% of the existing railway evils; whether this prove true or not publicity is certainly indispensable to intelligent and effective regulation. To secure publicity is far from being an easy task; railroad accounting is a most difficult subject, and it requires a much higher order of legislative ability to devise a system that will secure uniform and accurate accounts than to prepare any number of bills arbitrarily fixing rates and prescribing equipment and service. It also requires a capacity for cooperation—a mark of the highest legislative ability. 48 independent legislatures will have to cooperate with congress in the development of a uniform system of railroad accounting.<sup>1</sup>

**Agriculture.** In contrast with the usual regulative duties of special state boards, boards of agriculture have been established not for the regulation but for the encouragement of agriculture. The general agricultural depression and consequent discontent coupled with the political strength of the farmer have led to numerous attempts at legislative amelioration, among which the establishment of agricultural colleges, experiment stations and government departments have been the most successful. A national department of agriculture has been created and boards of agriculture or officers specially charged with the duty of looking after farming interests have been established in nearly all the states.

The act of 1862 creating a U. S. commissioner of agriculture directed him "To acquire and diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of the word." In carrying out this mandate the national de-

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<sup>1</sup> For further information as to railroad legislation see:

A. T. Hadley, *Railroad transportation*, p. 125-45.

F. C. Clark, *State railroad commissions* (American economic association publications, 1891, v. 6, no. 6)

partment of agriculture has become a great laboratory of agricultural research and center for the collection, organization and dissemination of agricultural information. Its work supplements and organizes that of the state boards, which in their more restricted fields carry on similar work of investigation and education. The educational work is carried on by various university extension methods, such as public meetings, institutes, lectures, correspondence courses, reading clubs, itinerant agricultural schools and cooperative field experiments, and by numerous annual and special reports and bulletins which are distributed free throughout the state. Through a system of national land grants one or more agricultural colleges and experiment stations have been established in each state. At the colleges men are trained in the science and art of farming with the same thoroughness as in schools of law or medicine, while at the experiment stations scientific investigations are undertaken and improved methods of culture developed. In order to secure the prompt trial and introduction of exotic plants and improved varieties the national government has since 1839 provided for a free distribution of seeds and plants.

Besides purely educational work the state and national governments have aided in much work of a more immediately productive character. The national government maintains extensive and efficient systems of weather and crop forecasts and reports. Swamp and marsh lands are being reclaimed and brought under cultivation and extensive systems of irrigation undertaken. 31 states seek to protect the buyers of fertilizers by providing for an official inspection. All states and territories have established commissions or bureaus for the suppression of contagious diseases among domestic animals, both in the interest of the owner and to protect the consumer against the use of unwholesome animal products. To aid the states in this work a national bureau of animal industry has also been established. The scientific study of plant diseases and insect pests has recently led 18 states to create a board of horticulture or state entomologist to investigate diseases and pests and with

power in many cases to take the necessary measures to prevent their spread.

*Forestry.* Until quite recently the preservation of the forest wealth of the community has received no legislative attention. Enormous areas of fine timber have been improvidently exploited or wholly wasted. The general improvident attitude toward the forests is largely the outgrowth of the fact that the early settler had laboriously to clear away the forest in order to till the soil; in this way the feeling became fixed that the forest was an evil to be got rid of rather than a source of future wealth to be carefully conserved. 10 states have established forestry boards to encourage the growing and preservation of forests and North Dakota and New York have established state schools of forestry.<sup>1</sup>

*Pisciculture.* Early legislation in the interest of fish preservation was entirely restrictive in character and was made with practically no scientific knowledge of the habits of the fish that it was sought to protect. The trend at present is to place more reliance on methods of fish propagation than on a multiplicity of vexatious restrictions, and to obtain through thorough scientific investigation the knowledge essential to enlightened regulation. Prof. E. Ray Lankester in a paper presented to the International fisheries exposition in London in 1883 says: "It is undeniably true that, in most cases, the accurate knowledge as to the life-history and circumstances of fishes is too small to justify legislative interference. . . . If we are to have effective legislation at the present day in regard to our sea fisheries, we must, before proceeding any further, have *more knowledge*. Those (and there are many) who earnestly desire additional restrictive fishery laws should do their utmost to enable zoologists to carry on researches which will provide that accurate knowledge of fishes and shellfish, their food, reproduction, and conditions of life—which must be obtained before legislation can be reasonably proposed."

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<sup>1</sup>The monograph of C. W. Dabney on Agricultural education has been of much assistance in the preparation of this review of agricultural legislation.

In 1871 the United States commission of fish and fisheries was created to undertake scientific investigations, collect information and to further the introduction and multiplication of food fishes, particularly in waters under national jurisdiction. The commission is frequently called on for the technical information necessary to the formulation of protective legislation by the states or to the extension or establishment of fishery enterprises. In 1898 it maintained 34 fish-cultural stations and distributed 857,509,546 eggs, fry and adult fish. Fish commissions have been created in every state except Kentucky. Many of the commissions exist primarily for protective purposes but others carry on valuable scientific work and maintain hatcheries and stock local waters with the most valuable food fishes. Illinois has a zoological station and Oregon has created the office of state biologist for the investigation of the animal resources of the state and the development of such as have economic value.

#### CHARITIES AND CORRECTIONS

Beginning with Massachusetts in 1863 state boards having a general supervision of charities and corrections have been established in 17 states. Usually they have no executive functions their duties being confined to inspection and education. They have been the centers for the origination and propagation of improved methods of caring for the unfortunate and degenerate classes.

**Delinquents.** A comparison of the crude ways of dealing with criminals in the American colonies with the present methods shows great progress. The colonists made little use of prisons, and reformatories were unknown. In Massachusetts death was the penalty for 18 crimes and banishment was frequently resorted to. For less serious offenses culprits were branded, whipped, had their ears cut off, were put in stocks, disfranchised or fined. It was thought by public and sanguinary punishments to restrain the criminally disposed. The brutalizing and degrading effects of such exhibitions were not realized. Very gradually this entire system has been almost com-

pletely done away with; in only a few states are any vestiges of it left. Public executions have been almost entirely abolished and New York, Ohio and Massachusetts have recently adopted electricity in place of hanging for the infliction of the death penalty. The number of capital crimes has gradually been reduced till now murder and crimes resulting in death are in most states the only offenses punished capitally while five states have abolished capital punishment altogether.

It is only recently that the idea of reforming the criminal has received much consideration. The new movement began with attempts to reform juvenile offenders; the methods found to be successful in the cases of boys and girls have with modifications been applied successively to more and more mature delinquents. Formerly all grades and conditions of offenders were confined together. Under the influence of modern ideas concerning the treatment and reform of criminals special institutions, specially constructed and equipped are being provided for the various grades and conditions of prisoners.

No state, quite justifiably no doubt, has as yet had sufficient confidence in the criminologists to adopt a real indeterminate sentence law. Crime is in most cases the result of a diseased or defective social nature, and the only scientific way to deal with it is to keep the criminal under treatment till cured. At present it is evident that the trend is in this direction: many states are adopting maximum and minimum sentence, "good time" and parole laws.

Just as dosing a healthy person with medicine may make a permanent invalid, so the indiscriminate imprisonment of all kinds of offenders whether they show serious pathologic symptoms or not, is responsible for making many confirmed criminals. This is particularly true in the case of juvenile offenders, and a number of states have provided probation officers who may recommend that convicted juveniles be released on probation and shall exercise supervision over those so released. Massachusetts in 1891 was the first state to extend this system to adult offenders and in 1899 Vermont followed her example.



**Defectives and dependents.** During the past century a broad humanitarian spirit has done much to alleviate the condition of the defective and dependent classes. At the opening of the 19th century the system of outdoor relief with its abuses and pauperizing tendencies played a much more important role than at present; there were few almshouses and many localities farmed out their poor to various families or to a single individual, usually the lowest bidder. At present this inhuman custom has been almost entirely abandoned. It is in the care of destitute and neglected children, however, that the greatest progress can be noted. At the opening of the century destitute children were cared for with adult paupers by the contract system, in almshouses, by outdoor relief, or were bound out as apprentices. The only public orphan asylum was located at Charleston. Moreover there was it seems no provision for the rescue and care of neglected children growing up under evil influences. With practically no attempt at prevention, children were left to grow up to swell the ranks of paupers and criminals. Now many states have provided excellent systems for the education and support of dependent children and others have made considerable progress in this direction, but in 19 states the old methods still prevail. Almost all the states now practically recognize the necessity for state interference in the case of children who by reason of the neglect, crime, drunkenness or other vices of parents are suffered to grow up without salutary parental control or under evil influences; and a number of states have provided special institutions for their care. Child-saving is one of the most hopeful features of the contest against poverty and crime.

State schools have been established in many states for the instruction of the blind and the deaf and dumb, and the New York state library sends books for the blind free to any part of the state. Great progress is being made in methods of caring for the insane and in the most progressive states the insane, the feeble-minded and the epileptic are being carefully classified and treated in special state and municipal institu-

tions. In most cases however all that can be done is to alleviate somewhat the condition of these unfortunates. With all the skill and scientific knowledge of the expert the abnormal child can not be made normal. The only substantial gain must come through prevention. Degenerates are largely continued and multiplied through heredity and the problem of prevention is therefore the extremely difficult one of controlling reproduction. Much can doubtless be accomplished by the general diffusion of intelligence concerning heredity and the creation of a controlling public opinion supplemented by judicious legislation. In 1895 Connecticut passed an act prohibiting under penalty of three years imprisonment marriage or cohabitation, where the woman is under 45 years of age, and either party is epileptic, imbecile or feeble-minded. The great army of criminals and paupers is very largely recruited from mental defectives born of degenerate parents.<sup>1</sup>

#### EDUCATION

**Public schools.** During the first part of the 19th century education in the United States was at a very low ebb. The public elementary schools were poor, specially trained teachers were unknown and secondary and college education was meagerly provided through private enterprise and philanthropy. One of the first indications of the beginnings of an educational renaissance was the creation in New York of the office of state superintendent of common schools in 1812. New York was followed by 16 states before 1850 and at present every state has an officer or board specially intrusted with the supervision and advancement of edu-

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<sup>1</sup> The following are the chief authorities consulted in preparing this review :

W: P. Letchworth, *Care and treatment of epileptics*. 246p. New York 1900.

Homer Folks, *Care of destitute, neglected and delinquent children*. (*Charities review*, 1899-1900, 9: 392-407, 457-70, 516-30, 564-75, 10: 36-45)

W: D. Morrison, *Juvenile offenders*. 11+317 p. New York 1897.

National conference of charities and corrections at Chicago, 1893. This report contains valuable papers reviewing progress during the past 20 years in the various lines of charitable and correctional work.

Amos G. Warner, *American charities*. 8+430 p. Boston 1894.

F. H. Wines, *Punishment and reformation*. 9+339 p. Boston 1895.

cational interests. In 1867 a national bureau of education was established "for the purpose of collecting such statistics and facts as shall show the condition and progress of education in the several states and territories, and of diffusing such information respecting the organization and management of school systems and methods of teaching as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country." Though the national bureau has no supervisory or compulsory authority its influence in raising educational standards has been most potent. Up to 1898 in carrying out its task of enlightenment it had published 350 separate volumes and pamphlets including 30 annual reports ranging from 800 to 2300 pages each. In the states, also the departments of public instruction in addition to the function of disseminating information have exercised a beneficial and steadily increasing control over the local school authorities.

The expansion of public education during the century has been truly marvelous, and it seems probable that the coming century will witness a still more wonderful development. One of the first results of the movement was the establishment of public and private normal schools for the professional training of teachers. Beginning with the school at Lexington Mass. in 1839 the movement extended rapidly, till in 1897 there were 167 public normal schools with an enrolment of 46,245 students, and 178 private normal schools with 21,293 students. New York has 12 public normal schools and nearly every state has one or more. Since the middle of the 19th century the public high school has been fast supplanting the private academy. In 1898 there were 5315 public high schools with 449,600 students and but 1990 private high schools with 105,225 students. The number of states that secure the privilege of free high school instruction to every boy and girl is rapidly increasing.

In accordance with the spirit of the famous words of the ordinance of 1787 for the government of the Northwest territory, "Religion, morality and knowledge being necessary to

good government and the happiness of mankind, schools and the means of education shall forever be encouraged," each state, with the exception of Maine, Texas and West Virginia, admitted to the Union since 1800 has received two or more townships of land for the founding of a university. Publicly supported and controlled state universities have now been established in 29 states. Tuition in these institutions is very low or entirely free. In the great university of California the total charge for a four year course is but \$5 and in Nebraska it is but \$10. The national land grant act of 1862 gave to each state public lands for the purpose of founding "at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the states shall respectively prescribe, in order to promote the liberal education of the industrial classes in the several pursuits and professions of life." As a result of this generous provision, state colleges of agriculture and the mechanic arts now exist in every state and territory.

Not only has the system of free public schools been expanded from the elementary school to cover the field of secondary and higher education, but now with the development of the kindergarten it is being rapidly extended in the other direction. Kindergartens are now authorized by general law in 17 states, while cities usually have power to establish them without special authorization. In 1898 there were public kindergartens in 189 of the 626 cities of 8000 population and over.

Free textbooks are the logical complement of free tuition. Many states have long provided for supplying indigent pupils with textbooks at public expense. Nine states now furnish free textbooks to all students and many states permit the localities to do so if they see fit. In the exercise of the parental relation which the state very properly assumes for the protection of children, 32 states and territories have compulsory school attendance laws. The most general period of required attend-

ance at school is from 8 to 14 years of age but in 5 states it is 8 to 16 years and in Connecticut and Wyoming 7 to 16 years.

Accompanying the expansion of the school period there has been a corresponding broadening and deepening of the school curriculum, while the purpose is no longer merely to give a general education but to train as well for some special calling. Industrial, commercial, technical and professional education is rapidly becoming a recognized part of the public school system, thus working toward the true democratic ideal of equality of opportunity. The state can well afford to secure to every one opportunity to develop the highest powers of social service of which he is capable.

**Public libraries.** Every state and territory now has a state or territorial library. In a number of these the collections consist chiefly of documents obtained through exchange, but others have large miscellaneous collections specially good in law and sociology. The New York state library is by far the largest having 239,121 volumes, exclusive of 55,026 volumes in traveling libraries and 124,683 duplicates, making a total of 418,830<sup>1</sup> volumes. Besides the state libraries the national congressional library at Washington now has 957,056<sup>2</sup> books and pamphlets housed in a magnificent building but recently completed.

A movement to encourage the establishment of free public libraries in the various cities and communities was started in 1890 with the establishment of a free public library commission in Massachusetts. It is the duty of this commission to give advice to local librarians and trustees and to expend \$100 in buying books for each town that will establish a library and annually appropriate a certain amount for its support. In 1890 there were 103 towns in which there were no free libraries, but as a result of state encouragement and aid only seven towns containing less than  $\frac{1}{2}$  of 1% of the population of the state are now without free library privileges. Following the example of Massachusetts, special library commissions or authorities with

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<sup>1</sup> Exclusive of 139,495 pamphlets.

<sup>2</sup> Exclusive of copyright duplicates.

similar duties have now been provided in 14 states and their work is resulting in the establishment of city, town and village libraries all over the country.

The traveling library is one of the most interesting developments of the library movement. It was first introduced by the New York state library in 1891 and has since been adopted by 10 states. Small carefully selected collections of books are sent all over the state to study clubs, university extension centers and communities without free libraries. The movement is new and its possibilities of farther growth and expansion seem very great.

With the prodigious annual output of new books it is becoming a physical and financial impossibility for all except a few libraries to keep anything like a complete collection. In the great cities the necessity for expansion and centralization is being solved by the establishment of numerous branch libraries containing the books for which there is a constant demand in the locality and serving as stations for the circulation of the books of the central library. It seems probable that some adaptation of this plan will be generally adopted. The vast majority of libraries must become in fact if not in name branches of some great central library on which they will depend for all books for which there is not a considerable demand and to which they will refer inquiries that can not be answered from the material at their command.

It is the function of the public library to preserve, organize and disseminate knowledge. The library supplements and forms the center for all other forms of educational activity and expands the system of free public education to cover the entire span of life. It is a great governing center because a great fact center; for after all facts are the real rulers, they are absolute despots. With the increasing differentiation and complexity of social and industrial conditions, the continued development of the library is indispensable to the best political, social and industrial integration. The library will assuredly become as essential in the daily work of the public officer, statesman, jour-

nalist and business man as it now is in the work of the lawyer and the scientist.<sup>1</sup>

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It is evident that the enormous practical value of intelligence as a social regulator is beginning to be realized. Vexatious commands and prohibitions regulating individual action make up a decreasing portion of statute law, publicity is being relied on more and more for controlling industry and commerce, reformatory schools are taking the place of prisons, systems of child-saving are doing much to prevent crime and pauperism, public schools, universities and libraries are reducing social friction and developing to the fullest individual capacities for social service, and the various state and national departments through their laboratories and investigations and their numberless reports and bulletins are exercising a control quite as potent as through the use of their compulsory authority.

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<sup>1</sup> The following are the chief authorities used or consulted in preparing this review of educational legislation:

Department of education for the United States commission to the Paris exposition of 1900, Monographs on education in the United States;

1 Andrew S. Draper, Educational organization and administration.

2 Susan E. Blow, Kindergarten education.

3 W. T. Harris, Elementary education.

4 Elmer E. Brown, Secondary education.

6 Edward D. Perry, The American university.

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10 James Russell Parsons jr, Professional education.

11 T. C. Mendenhall, Scientific, technical and engineering education.

12 C. W. Dabney, Agricultural education.

United States education bureau. Report for 1893-94. v. 2, p. 1063-1300 Digest of state school laws.





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**New York State Library Bulletins**

**ADDITIONS LEGISLATION BIBLIOGRAPHY**

**Library bulletins.** University of the State of New York. State library. Bulletins. O. Albany 1891—date. *Price to advance subscribers, 50 cents a year.*

Additions no. 1. General library, Oct. 1890. 204p. July 1891. *Price 25 cents.*

List of additions (except law books) closely classed by subject, followed by author and minute alphabetic subject indexes.

— no. 2. Subject index of law additions, 1 Jan. 1883—31 Dec. 1893. 304p. Nov. 1894. *Price 35 cents.*

— no. 3. General library. 853p. Sep. 1894. *Price 75c; boards.*

— no. 4. Medical library 1895. 132p. Sep. 1896. *Price 15 cents.*

**Legislation.** Comparative summary and index of legislation by states, 1890—date. *Price 25 cents each; \$1 a vol. of 5 numbers.*

— no. 8 (*special*). State finance statistics, 1890 and 1895. 57p. March 1897. *Price 10 cents.*

A classification of receipts according to source rather than by the funds to which they are assigned; also statistics relating to endowment funds and state debts.

— no. 12 (*special*). Trend of legislation in the United States. 40p. May 1900. *Price 5 cents.*

**Bibliography no. 1.** Guide to the study of J. A. M. Whistler. 16p. May 1895. *Price 5 cents.*

— no. 2-4. Reading lists: Colonial New England; Travel in North America; History of the 17th century. 77p. July 1897. *Price 10 cents.*

— no. 5. List of reference books for use of cataloguers in New York state library. 22p. Jan. 1898. *Price 5 cents*

— no. 6-8. Reading lists: Japan; Venice; Out-of-door books. 64p. Feb. 1898. *Price 10 cents.*

— no. 9-11. Reading lists: History of the latter half of the 15th century; Renaissance art; The Netherlands. 128p. Ap. 1898. *Price 15 cents.*

— no. 12. Best books of 1897. 24p. June 1898. *Price 5 cents.*

— no. 13. Reading list: Fairy tales for children. 26p. June 1898. *Price 5 cents.*

— no. 14. Index to subject bibliographies in library bulletins. 58p. Aug. 1898. *Price 10 cents.*

— no. 15-17. Reading lists: Russia; Nature study in primary schools; Biography of musicians. 150p. Jan. 1899. *Price 15 cents.*

— no. 18. Best books of 1898. 28p. May 1899. *Price 5 cents.*

— no. 19. College libraries in the United States. 52p. Dec. 1899. *Price 10 cents.*

— no. 20. Reading list: House decoration and furnishing. 20p. Dec. 1899. *Price 5 cents.*

— no. 21. Best books of 1899. 28p. May 1900. *Price 5 cents.*

**New York State Library**

**SOCIOLOGY DIVISION**

**Bulletins.** *Summary and index of legislation by states.* This is a minutely classified *annual* summary of new laws passed by all the states, followed by a full alphabetic index of specific topics, and has been published annually since its beginning in 1890.

*State finance statistics.* A bulletin giving a comparative summary of state finance statistics for 1890 and 1895 was published in March 1897. There will be a similar bulletin for 1900 and each succeeding fifth year.

These bulletins may be had postpaid for 25 cents a copy, or for \$1 a volume consisting of five numbers. Volume 1 began in 1890, volume 2 in 1895, and volume 3 with number 11. Subscriptions for future numbers or orders for back numbers should be addressed Treasurer of the University of the State of New York, Albany.

**Card indexes.** A consolidated card index of state legislation, beginning with 1890, makes it easy to refer to laws on any subject in any state within the past 10 years. As fast as advance sheets of new laws are received they are summarized on cards and classified. A special library on comparative legislation is being collected, which is supplemented with catalogues and indexes. This makes it possible to furnish promptly summaries of recent legislation on any subject.

**Research.** The library with its 242,000 volumes affords unusual advantages for research. Its collections in law, public documents, statistics, political science, economics, administration and allied subjects are unusually valuable and are being rapidly increased. Students of public law or economics who are unable to come to the library may have bibliographies prepared and information gathered for them by trained assistants.

**A charge is made** for work of this kind covering the salary value of the time spent on it, usually ranging from 50c to \$1 an hour; but such work is always assigned to the least expensive assistant competent to do it satisfactorily. Requests for research on these subjects should be addressed Sociology Division, State Library.

University of the State of New York

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# New York State Library

Bulletin 54 December 1900

LEGISLATION 13

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## LEGISLATION BY STATES IN 1900

### 11th Annual Comparative Summary and Index

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1900

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## PREFACE

In this highly competitive age improved methods must be quickly adopted in government as well as in industry to keep in the lead. States which do not study their neighbors' methods of government are as sure to lag behind as is the manufacturer who does not study his competitors' methods of production. This bulletin prepared by the sociology librarian Robert H. Whitten Ph. D. is an attempt to digest and organize the enormous annual output of legislation so as to enable legislators with a minimum of labor to make use of the most recent experience of other states.

As fast as advance copies of the session laws of each state can be secured, the separate laws are summarized on cards and classified by subject. This enables the library to answer promptly frequent inquiries regarding legislation in other states. At the end of the year the summary thus prepared is printed as part of this bulletin. The aim is to summarize the laws sufficiently to give a concise comparative view of current state legislation. It is of course impracticable to give many details of long general laws, and laws of purely local interest are not included.

As a decision of the supreme court of a state or of the United States declaring a statute unconstitutional is in effect equivalent to its repeal by the legislature, a digest of such decisions is included with the laws. Constitutional amendments submitted to future action of the legislature or people, as well as those voted on since the last bulletin, are placed in the summary under their proper subject-heads, and on page 588 there is a separate table arranged by states, showing the result of votes, and referring to the marginal numbers. Besides the detailed summary of legislation, the bulletin includes a review of legislation, the aim of which is to present briefly the most important and distinctive laws and to indicate the general trend of legislation.

A new feature of the bulletin this year is a table of statistics of legislation showing for each state the length of session in days, number of laws and resolutions passed and number summarized in the present bulletin.

The references in this bulletin cover 17 states and include all legislative sessions held from Sep. 30, 1899, to Oct. 1, 1900.

MELVIL DEWEY

*Director*

#### EXPLANATIONS

These must be carefully read to understand the bulletin

The summary is classified under the general heads shown in the table of contents on the cover and in greater detail on page 444. More comprehensive headings are regularly put first, and in ascertaining what legislation has been passed concerning subordinate heads under the general subject, it is necessary to refer also to the more inclusive heads. Cross references must also be observed.

The index is an alphabetic list of all the specific topics contained in the summary, and refers to each entry by its marginal number. It is necessarily very condensed.

New legislation only is included and when this is in the form of amendments only those clauses which add to, or materially change old enactments are cited. In case some part of the former law, still retained, is necessary for clearness, it is printed in ordinary type and new matter in italics.

The citations at the end of each entry are, as a rule, made by state, number and date of approval. In Delaware, North Carolina, Ohio and Rhode Island, where the governor's approval is not necessary, the date of final passage by the legislature is given. In the case of bills which are passed over the governor's veto or become laws without his signature by expiration of time, the date of such passage or expiration is given. The laws of several states are without chapter numbers and references are to pages.

## ABBREVIATIONS

## Months

Ja	January	Ap	April	Jul	July	O	October
F	February	My	May	Ag	August	N	November
Mr	March	Je	June	S	September	D	December

## States

Ala.	Alabama	Neb.	Nebraska
Ari.	Arizona	Nev.	Nevada
Ark.	Arkansas	N. C.	North Carolina
Cal.	California	N. D.	North Dakota
Col.	Colorado	N. H.	New Hampshire
Ct.	Connecticut	N. J.	New Jersey
Del.	Delaware	N. M.	New Mexico
Fla.	Florida	N. Y.	New York
Ga.	Georgia	O.	Ohio
Ia.	Iowa	Okl.	Oklahoma
Id.	Idaho	Or.	Oregon
Ill.	Illinois	Pa.	Pennsylvania
Ind.	Indiana	R. I.	Rhode Island
Kan.	Kansas	S. C.	South Carolina
Ky.	Kentucky	S. D.	South Dakota
La.	Louisiana	Tenn.	Tennessee
Mass.	Massachusetts	Tex.	Texas
Md.	Maryland	U.	Utah
Me.	Maine	Va.	Virginia
Mich.	Michigan	Vt.	Vermont
Minn.	Minnesota	W. Va.	West Virginia
Miss.	Mississippi	Wash.	Washington
Mo.	Missouri	Wis.	Wisconsin
Mon.	Montana	Wy.	Wyoming

## Compilations of statutes

Ann. L.	Annotated laws	G. L.	General laws
Ann. S.	Annotated statutes	G. S.	General statutes
C. C.	Civil code	P. C.	Political code
C. C. P.	Code of civil procedure	P. S.	Public statutes
C. L.	Compiled laws	Pen. C.	Penal code
C. P.	Code of procedure	R. C.	Revised code
C. S.	Compiled statutes	R. S.	Revised statutes
Crim. P.	Code of criminal procedure	S.	Statutes

## Acts. Resolves

art.	article	pt	part
c. r.	concurrent resolution	subdiv.	subdivision
ch.	chapter	t.	title
j. r.	joint resolution		

## Law reports

A.	Atlantic reporter	S. E.	Southeastern reporter
N. E.	Northeastern reporter	S. W.	Southwestern reporter
N. W.	Northwestern reporter	So.	Southern reporter
P.	Pacific reporter		

## OUTLINE OF SUMMARY AND NUMBER OF REFERENCES BY SUBJECTS

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STATISTICS OF LEGISLATION : OCT. 1899-30 SEP. 1900<sup>1</sup>

The sessions are biennial in all states and territories except Ga. Mass. N. J. N. Y. R. I. and S. C. where they are annual.

STATE	Dates	Length in days	No. of laws	No. of reso- lutions	No. of laws and resolu- tions	No. of laws and resolu- tions summar- ized
California ( <i>extra</i> ).....	29 Ja 00-10 F 00	13	15	13	28	9
Georgia .....	25 O 99-16 D 99	53	222	42	264	70
Iowa .....	8 Ja 00- 6 Ap 00	89	217	14	231	153
Kentucky .....	2 Ja 00-14 Mr 00	72	32	8	40	22
Louisiana .....	14 My 00-14 Jl 00	61	.....	.....	165	77
Maryland .....	3 Ja 00- 2 Ap 00	90	747	11	758	114
Massachusetts.....	3 Ja 00-17 Jl 00	196	479	115	594	142
Michigan ( <i>extra</i> ).....	18 D 99- 6 Ja 00	20	7	2	9	1
Mississippi .....	2 Ja 00-12 Mr 00	70	198	9	207	78
New Jersey .....	9 Ja 00-23 Mr 00	74	198	8	201	168
New York .....	3 Ja 00- 6 Ap 00	94	776	1	777	198
North Carolina ( <i>extra</i> )	12 Je 00-31 Jl 00	50	20	12	32	4
Ohio .....	1 Ja 00-16 Ap 00	106	583	53	636	163
Rhode Island..... {	30 Ja 00- 4 My 00	95	114	61	175	44
	29 My 00-13 Je 00	16	48	20	68	
South Carolina .....	9 Ja 00-17 F 00	40	.....	.....	181	67
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<sup>1</sup> For statistics of constitutional amendments see p. 538.

# New York State Library

Bulletin 54 December 1900

LEGISLATION 13

## LEGISLATION BY STATES IN 1900

11th Annual Comparative Summary and Index

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### REVIEW OF LEGISLATION

1 Oct. 1899—30 Sep. 1900

**Education.** In Maryland the office of state superintendent of public education has been created in addition to the state board of education already existing.<sup>1</sup> The superintendent is appointed by the governor for a term of four years. It is his duty to diffuse educational information, to hold an annual institute in each county, and to receive the reports of the boards of county school commissioners, and with the consent of two thirds of the state board of education he may remove any county examiner. In this state also the power to appoint county school commissioners has been transferred from the circuit court judges to the governor.<sup>2</sup>

A law of Ohio provides that any township voting to abolish all sub-districts and centralize the schools must furnish transportation for all pupils living more than three fourths of a mile from the central building;<sup>3</sup> and Iowa has provided that in the contingent fund of district schools \$5 may be estimated for each person of school age for transporting children to and from school.<sup>4</sup>

A law of Massachusetts provides that all school committees may and after July 1, 1902, shall employ a superintendent of schools, and that towns with a valuation under \$2,500,000 may unite for this purpose.<sup>5</sup> In Ohio a law has been passed to secure

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<sup>1</sup>Md. '00 ch. 428. <sup>2</sup>Md. '00 ch. 29. <sup>3</sup>O. '00 p. 317. <sup>4</sup>Ia. '00 ch. 108. <sup>5</sup>Mass. '00 ch. 248.

to each child the benefit of a high school education by providing that in districts or townships in which there is no high school, the board of education shall pay the tuition of pupils attending the high school of an adjoining district.<sup>1</sup>

*New Jersey school system.* A codification of the New Jersey school laws, covering 90 pages, has been adopted.<sup>2</sup> The distinctive features of the school system as set forth in this code are as follows: there is a state board of education composed of two persons from each congressional district, appointed by the governor for terms of five years. This board has broad powers to make necessary rules and regulations to carry the school laws into effect and may also provide rules and regulations for teachers institutes and for the examination and licensing of teachers. There is also a state superintendent of public instruction appointed by the governor for a term of three years with a salary of \$3000. It is his duty to instruct county and district superintendents in their duties, and to decide subject to appeal to the state board of education all disputes arising under the school laws. For neglect of duty he may withhold the salary of local superintendents and teachers and may withhold school money from any district failing to conform to the law. He may also suspend members of local boards of education or their appointees, subject to reinstatement or removal by the state board. The county superintendents are appointed by the state board for terms of three years, subject to removal for cause, and their salaries, from \$1000 to \$1300, are paid by the state. Each township, city and incorporated town constitutes a school district; there are locally elected or appointed boards of education for each district. For the examination of teachers there are state, county and district boards of examiners. Corporal punishment is forbidden in all cases. Children living remote from a schoolhouse may be given free transportation. The state superintendent is required to procure plans and specifications for school buildings, which may be lent to any district desiring to erect a new building. All plans of school buildings must be submitted to the state board for suggestions and criti-

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<sup>1</sup>O. '00 p. 175. <sup>2</sup>N. J. '00 ch. 96.



cism before being accepted by the local board. Attendance at school is compulsory for all children between the ages of 7 and 12, and the employment of children is regulated. The state board has control of the state normal school, the New Jersey school for the deaf, and the manual training and industrial school for colored youth. Every board of education may employ a medical inspector whose duty it shall be at stated times to visit the schools and examine pupils referred to him by the teacher. It is his duty at least once during each year to examine every pupil to learn whether any physical defect exists, and to keep a record from year to year of the growth and development of such pupils. The code also provides for union graded schools, kindergartens, evening schools, manual training schools, teachers libraries, a teachers retirement fund, the study of the nature and effect of alcohol and narcotics and free textbooks.

**Public libraries.** In Iowa a state library commission has been created consisting of the state librarian, the superintendent of public instruction, the president of the state university and four persons appointed by the governor for terms of five years, two of whom must be women.<sup>1</sup> It is the duty of the commission to give advice to libraries and aid in their establishment and to co-operate with the state library in the development of traveling libraries. Members of the commission serve without pay, but a secretary may be employed and \$2000 is provided for expenses. New Jersey also has created a state library commission consisting of five members appointed by the governor for terms of five years.<sup>2</sup> \$500 is appropriated for annual expenses. The commission is required to furnish advice to libraries and may give \$100 to such as expend an equal sum for books. Beginning with Massachusetts in 1890, special library commissions or authorities with similar duties have now been provided in 15 states.

**Suffrage.** The constitutional amendment submitted to vote in North Carolina to disfranchise the illiterate negro was adopted and goes into effect in July 1902.<sup>3</sup> The proposed plan is similar to that adopted by Louisiana in 1898<sup>4</sup> and makes ability to read

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<sup>1</sup>Ia. '00 ch. 116. <sup>2</sup>N. J. '00 ch. 62. <sup>3</sup>N. C. '00 ch. 2. <sup>4</sup>La. const. '98 art. 197.

and write a section of the constitution a qualification for voting. This provision applies to whites and blacks alike, but there is a proviso that it shall not apply to any person entitled to vote in any state prior to January 1, 1867, or to a lineal descendant of such person who registers before January 1, 1908. It is in effect an ingenious device to disfranchise illiterate negroes without also disfranchising illiterate whites and still keep within the letter of the 15th amendment providing that the right to vote shall not be denied on account of race, color or previous condition of servitude.

**Voting machines.** The first state law authorizing the use of automatic machines was passed by New York in 1892, allowing towns to use the Myers automatic ballot cabinet at elections of town officers.<sup>1</sup> In 1893 Michigan<sup>2</sup> and Massachusetts<sup>3</sup> permitted the use of voting machines at local elections, and in 1894 New York<sup>4</sup> authorized their use at all elections. Michigan<sup>5</sup> passed a similar law in 1895, Massachusetts<sup>6</sup> in 1896, Minnesota<sup>7</sup> in 1897, Ohio<sup>8</sup> in 1898 and Indiana<sup>9</sup> and Nebraska<sup>10</sup> in 1899. During the present year Rhode Island has created a voting machine commission to examine machines and make regulations for their use by cities and towns.<sup>11</sup> Machines are to be bought by the secretary of state at not exceeding \$250 each and furnished to cities and towns on application, and for this \$15,000 is appropriated. In Iowa the use of voting machines has been authorized at all elections and a commission to examine voting machines created.<sup>12</sup> In 1895 Connecticut authorized the use of McTammany and Myers machines at local elections.<sup>13</sup> The first permanent state voting machine commission was established in New York in 1897.<sup>14</sup> Massachusetts<sup>15</sup> and Ohio<sup>16</sup> followed in 1898.

**Corrupt practices.** Kentucky has made it unlawful for corporations to contribute to campaign funds.<sup>17</sup> Similar laws were passed by Florida,<sup>18</sup> Missouri,<sup>19</sup> Nebraska<sup>20</sup> and Tennessee<sup>21</sup> in 1897.

<sup>1</sup>N. Y. '92 ch. 15. <sup>2</sup>Mich. '93 ch. 98. <sup>3</sup>Mass. '93 ch. 465. <sup>4</sup>N. Y. '94 ch. 764, 765. <sup>5</sup>Mich. '95 ch. 76. <sup>6</sup>Mass. '96 ch. 489. <sup>7</sup>Minn. '97 ch. 296. <sup>8</sup>O. '98 p. 277. <sup>9</sup>Ind. '99 ch. 155. <sup>10</sup>Neb. '99 ch. 28. <sup>11</sup>R. I. '00 ch. 744, 794. <sup>12</sup>Ia. '00 ch. 87. <sup>13</sup>Ct. '95 ch. 263, 333. <sup>14</sup>N. Y. '97 ch. 450. <sup>15</sup>Mass. '98 ch. 378, 548. <sup>16</sup>O. '98 p. 277. <sup>17</sup>Ky. '00 ch. 12. <sup>18</sup>Fla. '97 ch. 24. <sup>19</sup>Mo. '97 p. 108. <sup>20</sup>Neb. '97 ch. 19. <sup>21</sup>Tenn. '97 ch. 18.

**Legislature.** Rhode Island has been holding two sessions of its legislature yearly, an annual session being held at Newport beginning on the last Tuesday in May, and an adjourned session at Providence beginning in January. The January session held at Providence has usually lasted into May after which the Newport session beginning the last Tuesday in May has usually lasted till the latter part of June. A constitutional amendment was adopted at the November election providing for a single annual session at Providence beginning on the first Tuesday in January.<sup>1</sup> According to a constitutional amendment adopted in November 1900 the biennial sessions of the legislature of Iowa will be held in odd instead of even years, beginning in January 1903.<sup>2</sup>

**Special legislation.** Florida has adopted a constitutional amendment prohibiting the creation of corporations, except universities and ship canals, by special acts.<sup>3</sup> In order to reduce the number of private acts of various kinds, Mississippi has authorized the auditor and land commissioner to settle claims for taxes erroneously paid, correct errors in land descriptions, cancel patents to lands in certain cases and refund over-payments.<sup>4</sup> In 1899 the New York legislature referred to the next legislature a constitutional amendment prohibiting the passage of a local or private act granting an exemption from taxation but the amendment was not repassed by the legislature of 1900.<sup>5</sup>

**Labor.** Louisiana has created the office of commissioner of labor statistics.<sup>6</sup> The commissioner is appointed by the governor for a term of four years, with a salary of \$1500. It is his duty to collect statistics relating to industrial, social and sanitary condition of workingmen and the productive industries of the state. He may summon and examine witnesses, but no person can be required to leave the parish in which he resides or to answer questions respecting his private affairs. The first bureau of labor statistics established in the world was that of Massachusetts in 1869. The example of Massachusetts was followed by Pennsylvania in 1872, Connecticut in 1873 and Ohio in 1877.

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<sup>1</sup>R. I. '00 j. r. 1. <sup>2</sup>Ia. '00 j. r. 1. <sup>3</sup>Fla. '99 j. r. 2. <sup>4</sup>Miss. '00 ch. 76. <sup>5</sup>N. Y. '99 p. 1605.  
<sup>6</sup>La. '00 ch. 79.

Within the next few years many more bureaus were established and they exist at present in 33 states. The United States bureau of labor was established as an office in the department of the interior in 1884, and reorganized as the department of labor in 1888.

Ohio has passed an eight hour law for state and local employees and for workmen on all public contracts.<sup>1</sup> A New York law provides that pharmacists and drug clerks in New York city shall not work more than 70 hours a week.<sup>2</sup> In 1899 Colorado passed a law establishing an eight hour day in mines, smelters and reduction works, except in cases of emergency where life or property is in imminent danger.<sup>3</sup> This law has been declared unconstitutional by the supreme court of Colorado as being class legislation.<sup>4</sup>

The California law of 1897<sup>5</sup> requiring corporations to pay employees monthly, and the Kansas law of 1897<sup>6</sup> making it unlawful to pay wages in script, token, order or credit other than lawful money of the United States or bank checks, have been declared unconstitutional by the supreme courts of those states.

**Banking.** Maryland has created a special commission of seven members to revise laws relating to state banks, fidelity and trust companies, and building and loan associations.<sup>7</sup> The Virginia law of 1894 providing for state banks of circulation has been revised.<sup>8</sup> This law provides that the state treasurer shall furnish notes of \$5 and upwards, that the circulation shall not exceed the capital stock and that a reserve shall be kept in gold, silver or United States notes equal to 25% of the circulation. In Louisiana, homestead and building and loan associations have been required to report semi-annually to the state examiner of banks.<sup>9</sup>

**Trusts and combinations.** Mississippi was the only state to pass anti-trust legislation in 1900.<sup>10</sup> An anti-trust law was passed in 1890<sup>11</sup> and amended in 1896 and 1898, and during the present year a revision of the law of 1890 has been adopted. Like the

<sup>1</sup>O. '00 p. 357. <sup>2</sup>N. Y. '00 ch. 453. <sup>3</sup>Col. '99 ch. 103. <sup>4</sup>In re Morgan, 58 P. 1071. <sup>5</sup>Col. '97 ch. 170; Johnson v. Goodyear mining co. 59 P. 304. <sup>6</sup>Kan. '97 ch. 145; State v. Haun, 59 P. 340. <sup>7</sup>Md. '00 ch. 454. <sup>8</sup>Va. '94 ch. 850; '00 ch. 768. <sup>9</sup>La. '00 ch. 115. <sup>10</sup>Miss. '00 ch. 88. <sup>11</sup>Miss. '90 ch. 38.

anti-trust laws of a number of other states, it defines a trust as a combination of capital, skill or acts: 1) to restrict trade; 2) to limit production or change price; 3) to prevent competition in manufacture, transportation or sale; 4) to fix a standard for adjusting prices; or 5) to make contracts or agreements for any of these purposes. All contracts or agreements entered into by trusts and combines are void. A domestic corporation entering into a trust forfeits its charter and a foreign corporation forfeits its right to do business within the state. Persons entering into trusts are subject to fine of \$100 to \$5000 or imprisonment from 3 to 12 months or both. A new provision in the law of 1900 makes it unlawful for any corporation directly or indirectly to purchase or own any part of the capital stock of any other corporation, or to buy or in any manner acquire the franchise, plant or equipment of any other corporation if such other corporation be engaged in the same kind of business or be a competitor therein. Violation of this provision subjects a corporation to forfeiture of its charter or right to do business in the state. Trusts and combinations are now prohibited by statute or constitutional provision in 29 states and territories.<sup>1</sup>

**Tax inquisitors.** Iowa has followed the example of Ohio in providing for tax inquisitors to discover personalty omitted from tax lists.<sup>2</sup> The law authorizes the county board of supervisors to contract with any person to assist in the discovery of property not listed for taxation. The fees and expenses of the tax inquisitor may not exceed 15% of the taxes paid into the treasury through his assistance and he is required to give a \$3000 bond.

Ohio first passed a law in 1880 permitting the county commissioners of Hamilton county in which Cincinnati is situated to

<sup>1</sup>The following is a list of states and territories having anti-trust laws together with a reference to the statute:

Alabama, Code '96 § 5557-59; Arkansas '99 ch. 41; Georgia '96 p. 68; Idaho, Constitution art. 11 § 18; Illinois '91 p. 206, amended '93 p. 89, 182 and '97 p. 298; Indiana '97 ch. 104; Iowa '90 ch. 28; Kansas '97 ch. 265, amended '99 ch. 233; Kentucky, Statutes '90 ch. 101; Louisiana '92 ch. 90; Maine '89 ch. 266; Michigan '99 ch. 255; Minnesota '99 ch. 359; Mississippi '00 ch. 88; Missouri '91 p. 186 amended '95 p. 237, '97 p. 208, '00 p. 314, 316, 318, 320; Montana, constitution art. 15 § 20, penal code § 321, 325; Nebraska '97 ch. 79; New Mexico '91 ch. 10; New York '99 ch. 690; North Carolina '99 ch. 666; North Dakota, Penal code '99 ch. 51; Ohio '98 p. 143; Oklahoma, Statutes '93 ch. 83; South Carolina '97 ch. 285, amended '98 ch. 487; South Dakota, Constitution art. 17 § 20, '97 ch. 94; Tennessee '97 ch. 94; Texas '99 ch. 146, 172; Utah, R. S. '98 § 1752-60; Wisconsin '93 ch. 219, '97 ch. 357.

<sup>2</sup>Ia. '00 ch. 50.

employ a person to discover omitted property. In 1885 this law was extended to all counties containing a city of the first class or of the first grade of the second class, thus including the counties of Hamilton, Cuyahoga, Lucas and Franklin. In 1888 the power to employ a tax inquisitor was extended to all counties of the state.<sup>1</sup> Under this law the compensation of the inquisitor may not exceed 20% of the amount of taxes recovered and his bond is fixed at \$1000.

**Taxation of mortgages.** Missouri has adopted a constitutional amendment to exempt the amount of the mortgage in the assessment of mortgaged property.<sup>2</sup> A mortgage is deemed and treated as an interest in the property and the value of the property less the value of the mortgage is assessed to the owner and the value of the mortgage to the mortgagee. Taxes so levied are a lien on the property and mortgage and may be paid by either party. If the owner of the property pays the tax on the mortgage it constitutes a payment thereon. Every contract for the payment of the tax by the mortgagor is void.

**Stamp taxes.** Virginia has provided for the collection of its tax of \$1 on the seals of all courts and notaries by means of an adhesive stamp to be affixed to the instrument requiring the seal, over which the seal shall be placed in such a way as to cancel the stamp.<sup>3</sup> The auditor of public accounts prepares the stamps and furnishes them to county and city treasurers for sale to individuals. So far as known this is the only instance of the use of stamps by a state for the collection of a tax. In 1845 an act was passed in Maryland imposing a stamp tax on every bond, obligation, single bill or promissory note above the sum of \$100. The next year the act was extended to every deed and bill of sale for over \$200 and to every release of mortgage. This law was repealed in 1856.

**Inheritance tax.** The Minnesota inheritance tax has been declared unconstitutional by the state supreme court.<sup>4</sup> The act was passed in 1897 and provides for a tax of 5% on descents of personal property over \$5000 to collateral heirs, and of 1% on personal

<sup>1</sup>O. '80 p. 204; '85 p. 162; '88 p. 170. <sup>2</sup>Mo. '99 p. 383. <sup>3</sup>Va. '00 ch. 165, '90 ch. 244 § 16. <sup>4</sup>Minn. '97 ch. 293; *Drew v. Tift*, 81 N. W. 839.

property over \$10,000 to direct heirs. As this law excludes real property from taxation, provides a larger exemption to lineal than to collateral heirs and exempts certain persons and corporations, the court decides that it does not provide equality of taxation in accordance with the provisions of the state constitution.

**Express, telephone, telegraph taxation.** Iowa has revised its system of taxing telephone, telegraph and express companies. The state executive council determines the value of the property and franchises of telegraph and telephone companies, and state and local taxes are to be assessed on this valuation by the local authorities in the same manner as other property, and the owners of capital stock are exempt from taxation.<sup>1</sup> Formerly the state council determined the value of the property of telegraph and telephone companies and after deducting the amount locally assessed, assessed the remainder at an average rate. The state executive council also determines the value of the property of each express company, except property not used exclusively in the conduct of its business.<sup>2</sup> The valuation is based on the aggregate value of shares plus mortgage indebtedness, and the county auditor adds property not used exclusively in the conduct of the business of the company, and the whole is taxed for the same purposes and by the same officers as the property of individuals. Owners of capital stock are exempt from taxation. Formerly the tangible property of express companies was assessed in the same manner as the property of individuals and a state tax of 2% on gross receipts was imposed.

**Franchise taxes.** New Jersey has adopted a franchise tax law similar in some respects to that adopted by New York in 1899.<sup>3</sup> Like the New York law it provides for the taxation of persons and corporations using highways, streets and public places, except railroad and canal companies. The New York law, however, provides for the assessment of the property and franchises of such corporations by the state tax commission and for its taxation for state and local purposes in the same manner as other property. The New Jersey law provides that the property shall be assessed

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<sup>1</sup>Ia. '00 ch. 42. <sup>2</sup>Ia. '00 ch. 45. <sup>3</sup>N. Y. '99 ch. 712; N. J. '00 ch. 195.

locally and taxed at local rates as heretofore and that a tax of 2% on gross receipts shall be assessed annually and apportioned by the state board of assessors to the taxing districts in proportion to the value of property therein, on streets, highways and public places.

**Practice of law.** Indiana has adopted a constitutional amendment authorizing the legislature to prescribe qualifications for admission to the bar.<sup>1</sup> In Iowa a board of law examiners consisting of the attorney general and four persons appointed by the supreme court has been created. Applicants for admission must have three years study of law in a law office or law school instead of two as formerly, and must have a general education equivalent to a three year high school course. A New Jersey law of 1882 exempting from preliminary requirements to examination, applicants having certification of unusual aptitude signed by five counselors of five years practice has been repealed.<sup>2</sup>

**Courts and procedure.** California has rejected a constitutional amendment reorganizing its system of state courts.<sup>3</sup> The defeated amendment decreased the number of associate justices of the supreme court from six to four, and created three district courts of appeal. A constitutional amendment has been adopted in Indiana fixing the number of supreme court judges at not less than five nor more than 11; formerly the number was fixed at not less than three nor more than five.<sup>4</sup> In Oregon<sup>5</sup> the number of supreme court judges has been increased from three to five and in Kansas<sup>6</sup> from three to seven. The Kansas amendment provides that all cases need not be heard by the entire court, but if not, the concurrence of four justices is necessary. New Jersey has adopted revisions of its laws relative to the court of errors and appeals, supreme and circuit courts, court of common pleas and prerogative courts, and also a revision of its laws relative to evidence.<sup>7</sup> In Missouri a constitutional amendment has been adopted providing that in civil cases, in courts not of record two thirds and in courts of

<sup>1</sup>Ind. '99 ch. 259. The amendment received a majority vote at the election in Nov. 1900, but not a majority of the total number of votes cast for governor, and the validity of its adoption is questioned. <sup>2</sup>N. J. '00 ch. 39. <sup>3</sup>Cal. '99 j. r. 37. <sup>4</sup>Ind. '99 ch. 260. Validity of adoption questioned; see footnote number 1 above. <sup>5</sup>Or. '99 p. 143. <sup>6</sup>Kan. '99 ch. 314. <sup>7</sup>N. J. '00 ch. 140, 147-51.



record three fourths of a jury may render a verdict.<sup>1</sup> The legislature of West Virginia has requested the state board of health and vital statistics to report to the next assembly whether there is any method of inflicting the death penalty more humane than hanging, and also to report on the advisability of designating a single place in the state for executions. The use of electricity in place of hanging was adopted by New York in 1888,<sup>2</sup> by Ohio in 1896,<sup>3</sup> and by Massachusetts in 1898.<sup>4</sup>

**Palisades interstate park.** New Jersey<sup>5</sup> and New York<sup>6</sup> have appointed commissions to cooperate in the establishment of an interstate park to preserve the scenic beauty of the Palisades on the Hudson. Each commission consists of 10 members appointed for five years without salary.

**Counties.** New Jersey has adopted an act for the reorganization of the government of counties of 150,000.<sup>7</sup> The act provides for a county supervisor and board of chosen freeholders elected by the people. The county supervisor is the chief executive officer and may recommend to the board of chosen freeholders such measures as he deems necessary. It is his duty to see that the laws and ordinances of the county are enforced, to exercise constant supervision over the conduct of all subordinate officers, to examine into all complaints against them for violation or neglect of duty, and if any officer be found guilty of charges brought against him he may be suspended or removed by the county supervisor. The ordinances and resolutions of the board of chosen freeholders are presented to the county supervisor for approval and if he disapproves, a two-thirds vote is necessary for passage. The board of chosen freeholders appoints a county physician, engineer, warden of penitentiary, warden of county jail, superintendent of almshouse, superintendent of each hospital, penitentiary physician, jail physician and physicians for each hospital and such other officers and agents for the transaction of county business as may be determined by resolution of the board. Members of the board receive a salary of \$500 and the county supervisor a salary of \$2500.

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<sup>1</sup>Mo. '98 p. 331. <sup>2</sup>N. Y. '88 ch. 489. <sup>3</sup>O. '96 p. 159. <sup>4</sup>Mass. '98 ch. 326. <sup>5</sup>N. J. '00 ch. 87. <sup>6</sup>N. Y. '00 ch. 170. <sup>7</sup>N. J. '00 ch. 89.

In Ohio a state commission on fees of county officials has been established consisting of the secretary of state, auditor and attorney general. It is required to prepare schedules of legal fees and to report biennially to the legislature.<sup>1</sup>

**Municipal government.** A joint legislative committee has been appointed in Iowa to revise and codify special assessment laws and such other municipal laws as it may deem necessary.<sup>2</sup> In New York the governor has appointed a commission of 15 persons to revise the charter of New York city.<sup>3</sup>

**Municipal monopolies.** The law of New Mexico of 1897 investing cities and towns with power to regulate the price of gas, electric light and water has been declared unconstitutional by the state supreme court on the ground that the legislature can not delegate such power to consumers without providing for a judicial investigation of the reasonableness of the rates established.<sup>4</sup> Iowa has authorized cities and towns to establish heating plants, assess taxes for them and fix regulations for corporations or individuals supplying heat.<sup>5</sup> Louisiana has authorized municipalities to expropriate private gas and electric light plants,<sup>6</sup> and Texas has made it unlawful for cities and towns to lease or sell water systems except by vote of the electors.<sup>7</sup>

**Roads.** Mississippi has passed a law providing that public roads may be worked by contract.<sup>8</sup> The county board of supervisors may appoint a road commissioner and a tax of one mill may be levied on property and also a poll tax of eight days road work or three dollars. Missouri has adopted a constitutional amendment providing for the levy of a one and a half mill road and bridge tax by county courts and township boards.<sup>9</sup> The California act of 1897 regarding wide tires has been repealed,<sup>10</sup> while Massachusetts has passed a similar act relative to draft wagons, which goes into effect Jan. 1, 1902.<sup>11</sup> New Jersey has authorized cities under 12,000 to require four inch tires on 1500 lb. wagons on macadamized streets.<sup>12</sup>

<sup>1</sup>O. '00 p. 40. <sup>2</sup>Ia. '00 ch. 176. <sup>3</sup>N. Y. '00 ch. 465. <sup>4</sup>N. M. '97 ch. 57; *Agua pura co. v. Las Vegas*, 60 P. 208. <sup>5</sup>Ia. '00 ch. 19. <sup>6</sup>La. '00 ch. 111. <sup>7</sup>Tex. '00 ch. 6. <sup>8</sup>Mass. '00 ch. 119. <sup>9</sup>Mo. '99 p. 381. <sup>10</sup>Cal. '97 ch. 117; '00 ch. 14. <sup>11</sup>Mass. '00 ch. 334. <sup>12</sup>N. J. '00 ch. 168.

**Bicycles.** Rhode Island has created a state commission of five members appointed by the governor to build and maintain side-paths.<sup>1</sup> A license fee of from 50c to \$1 may be imposed to form a sidepath fund. A state sidepath commission has been established in Maryland with power to appoint boards in each county to construct and maintain paths.<sup>2</sup> In this state also turnpike companies have been prohibited from charging toll on bicycles.<sup>3</sup>

**Militia.** Mississippi has created a board of military regulations consisting of the attorney general, judge advocate general and commanding officers of the regiments of the national guard, to make regulations for the government and instruction of the national guard conforming as nearly as practicable to the United States army regulations.<sup>4</sup> General revisions of the military code have been adopted by Georgia,<sup>5</sup> New Jersey<sup>6</sup> and Virginia<sup>7</sup> and the governor of Massachusetts<sup>8</sup> has been authorized to appoint five persons to revise the militia laws and report to the legislature of 1901.

**Confederate veterans.** Mississippi,<sup>9</sup> South Carolina<sup>10</sup> and Virginia<sup>11</sup> have revised their laws providing for pensions for indigent confederate veterans, and Louisiana<sup>12</sup> has adopted a constitutional amendment increasing annual appropriations for pensions.

**Dependent and neglected children.** Maryland has passed laws amending procedure in commitment of minors to juvenile institutions and defining the powers of juvenile institutions and societies.<sup>13</sup> Massachusetts has authorized the state board of charity to remove any child under seven years kept apart from its parents without proper care, and to apply to the court for the removal of unsuitable guardians.<sup>14</sup> Another law authorizes the Massachusetts board to provide for placing indigent and neglected children in private families.<sup>15</sup> New Jersey authorizes the commitment of vagrant or indigent children to reform institutions till they reach the age of 21.<sup>16</sup> A Virginia law regulates the commitment of negro minors to the negro reformatory association,

<sup>1</sup>R. I. '00 ch. 757. <sup>2</sup>Md. '00 ch. 658. <sup>3</sup>Md. '00 ch. 549. <sup>4</sup>Miss. '00 ch. 72. <sup>5</sup>Ga. '99 p. 80. <sup>6</sup>N. J. '00 ch. 178, 179. <sup>7</sup>Va. '00 ch. 1131. <sup>8</sup>Mass. '00 j. r. 71. <sup>9</sup>Miss. '00 ch. 73. <sup>10</sup>S. C. '00 ch. 226. <sup>11</sup>Va. '00 ch. 1149. <sup>12</sup>La. '00 ch. 73. <sup>13</sup>Md. '00 ch. 306, 316. <sup>14</sup>Mass. '00 ch. 264. <sup>15</sup>Mass. '00 ch. 397. <sup>16</sup>N. J. '00 ch. 183.

and another law of the same state provides that minors under 18 may be committed to the prison association for an indeterminate period, but must not be detained after reaching their majority.<sup>1</sup> Massachusetts appropriated \$1000 to the Perkins institution and Massachusetts school for the blind for instruction of adult blind at home under supervision of the state board of education.<sup>2</sup>

**Insane.** In Iowa the state board of control has been authorized to supervise county and private institutions for the insane.<sup>3</sup> It is required to inspect them annually and make regulations for their government, and it may transfer patients from a private or county institution to a state hospital or vice versa. Ohio has extended the time from June 1, 1900, to June 1, 1903, after which it shall be unlawful to keep any epileptic or insane person in a county infirmary.<sup>4</sup> Massachusetts<sup>5</sup> has followed the recent example of New York,<sup>6</sup> Wyoming<sup>7</sup> and Ohio<sup>8</sup> in providing for state support and control of all insane committed to institutions. After January 1, 1904, the Massachusetts state board of insanity may transfer the insane in almshouses or other institutions not maintained and controlled by the state to state institutions. All city and town institutions for the insane are to be abolished, except those of Boston the expenses of patients in which are to be paid by the state. Massachusetts has also provided for establishing a state colony for the chronic insane,<sup>9</sup> for which 1500 to 2500 acres of land may be bought. Virginia has adopted a revision of its insanity laws.<sup>10</sup>

**Penal institutions.** On expiration of the present lease, March 3, 1901, the system of leasing convicts in Louisiana will be abolished. A law of 1900 provides for a board of control of the state penitentiary consisting of three commissioners appointed by the governor for terms of six years. The salary of the president of the board is \$4000, of the other members \$3000, and of the warden \$2000.<sup>11</sup> The board is to enter on its duties Oct. 1, 1900, and the president is authorized to visit other states and investigate

<sup>1</sup> Va. '00 ch. 273, 844. <sup>2</sup> Mass. '00 ch. 430. <sup>3</sup> Ia. '00 ch. 144. <sup>4</sup> O. '00 p. 166. <sup>5</sup> Mass. '00 ch. 451. <sup>6</sup> N. Y. '90 ch. 126. <sup>7</sup> Wy. '91 ch. 93. <sup>8</sup> O. '98 p. 274. <sup>9</sup> Mass. '00 ch. 451. <sup>10</sup> Va. '00 ch. 933. <sup>11</sup> La. '00 ch. 70.

their convict systems. The board may secure land for convict farms and factories and may bid and contract the same as a private individual for the building by the convicts of state and local public works. In Ohio the governor has been authorized to appoint a commission of four members to investigate methods of employing convict labor in that state.<sup>1</sup>

**Reformatories.** It is comparatively recent that the idea of reforming criminals has received much consideration. The movement began with attempts to reform juvenile offenders and the methods found successful with boys and girls have been applied with modifications to more and more mature delinquents. Under the influence of modern ideas concerning the treatment and reformation of criminals, specially constructed and equipped institutions are being prepared for the various grades and conditions of prisoners, who were formerly all confined together.

During the past year Iowa<sup>2</sup> has provided for establishing and maintaining an industrial reformatory for females at Anamosa; South Carolina<sup>3</sup> for establishing in connection with the state penitentiary a reformatory for male convicts under 16; Louisiana<sup>4</sup> for establishing a reformatory for convicts from 7 to 17 years of age; New York<sup>5</sup> has revised its laws relating to Elmira reformatory.

**Probation.** A number of states have provided probation officers who may recommend that convicted juvenile offenders be released on probation, and shall exercise supervision over those so released. Massachusetts in 1891<sup>6</sup> was the first state to extend this system to adult offenders. Vermont<sup>7</sup> followed in 1898 and during the present year New Jersey<sup>8</sup> has adopted a law providing that the judges of the court of general quarter sessions for each county may, if in their judgment the interests of justice will be promoted thereby, appoint a probation officer. In counties of the first and second classes the court may with the consent of the board of chosen freeholders appoint not exceeding three assistant probation officers. The probation officer has constable's powers, and whenever directed by the court it is his duty to inquire carefully

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<sup>1</sup>O. '00 p. 122. <sup>2</sup>Ia. '00 ch. 102. <sup>3</sup>S. C. '00 ch. 246. <sup>4</sup>La. '00 ch. 70. <sup>5</sup>N. Y. '00 ch. 378. <sup>6</sup>Mass. '91 ch. 356. <sup>7</sup>Vt. '98 ch. 128. <sup>8</sup>N. J. '00 ch. 102.

into the antecedents, character and offense of any person under arrest, and if in the judgment of the court the record shall so justify, the court may order the convict placed on probation under the care of the probation officer, instead of imposing the legal penalty. The court establishes rules and regulations governing the probation officer and the persons committed to his care. Compensation of the probation officer is fixed by the court and he may be reimbursed for such actual expenses as the court approves. In case any person violates the conditions of his probation, he may be taken into custody and sentenced at any time within three years from the date of conviction.

Another New Jersey law makes it possible for courts to allow persons to go at large until able to pay fines.<sup>1</sup> A person convicted of a misdemeanor and sentenced to pay a fine may be permitted to be at liberty with or without bail for a definite time or till the fine is paid.

**Parole; pardon.** An interesting Kentucky law provides that the board of prison commissioners may parole convicts in the penitentiary for the first time, except those convicted of rape or incest.<sup>2</sup> Persons convicted of murder must serve at least five years, and persons convicted of arson, burglary or highway robbery must serve the minimum term provided by law before being paroled. Paroled prisoners are not required to remain in the state, but if they do so they are required to report their place of residence and conduct to the board of prison commissioners through the county judge at least every six months. This provision should be quite effective in diminishing the number of ex-convicts in the state. North Dakota has adopted a constitutional amendment establishing a board of pardons consisting of the governor, attorney general, chief justice of the supreme court and two persons appointed by the governor.<sup>3</sup>

**State insurance.** South Carolina has decided to make an interesting experiment in state insurance. The state will carry its own risks on all state and county public buildings except school-houses.<sup>4</sup> Beginning January 1, 1901, half the amount now paid

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<sup>1</sup>N. J. '00 ch. 144. <sup>2</sup>Ky. '00 ch. 26. <sup>3</sup>N. D. '99 p. 258. <sup>4</sup>S. C. '00 ch. 222.

for premiums on city and county buildings will be paid to the commissioners of the sinking fund for an insurance fund. When the insurance fund reaches \$200,000 no further premiums will be paid except to maintain the fund at this amount.

**Fire inquests.** In 1894 the first system of state supervision of fire inquests was established. In that year Massachusetts created the office of state fire marshal.<sup>1</sup> It is the duty of the state fire marshal in Boston and of certain local authorities in other cities and towns to investigate the cause of every fire within two days of its occurrence. The state marshal may supervise or direct the investigation of local authorities whenever he deems it necessary. The local board making the investigation is required to report within 10 days of the occurrence of the fire to the state marshal and the state marshal must examine into the cause of every fire thus reported. If any evidence of incendiarism is shown an inquest may be held and if facts warrant, arrests may be made and offenders prosecuted. The law also empowers the state marshal and the local authorities to inspect buildings and order removal of combustible materials or inflammable conditions.

In the same year Maryland also created the office of state fire marshal, but instead of providing for an investigation of every fire simply gave the state marshal authority to investigate the cause of any fire whenever he deemed it advisable.<sup>2</sup> In 1899 North Carolina passed a law modeled quite closely on that of Massachusetts. The duty of state supervision, however, is imposed on the state insurance commissioner, and while providing for an investigation of every fire by the local authorities as in the Massachusetts law, it is the duty of the insurance commissioner to examine into the cause of fires only when it seems to him advisable.<sup>3</sup> During the present year Ohio has created the office of state fire marshal, following the North Carolina rather than the Massachusetts law.<sup>4</sup>

**Railroads.** A special session of the Kansas legislature held in December 1898 created a court of visitation consisting of three elected judges, with power to fix railroad rates, prescribe equip-

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<sup>1</sup>Mass. '94 ch. 444. <sup>2</sup>Md. '94 ch. 248. <sup>3</sup>N. C. '99 ch. 58. <sup>4</sup>O. '00 p. 386.

ment and service, decide complaints and appoint receivers for roads failing to comply with its decrees. The state supreme court has decided this law unconstitutional, as the powers conferred on the court are legislative, executive and judicial, so interwoven as to violate the constitutional requirement that the three departments of government shall be exercised independently.<sup>1</sup> A Kansas law of 1897 requiring railroad companies to give free transportation to each shipper of a carload of live stock, and to one additional person for each three cars, has also been declared unconstitutional on the ground that it takes property without due process of law.<sup>2</sup> Kentucky has authorized the railroad commission to investigate and fix rates of companies accused of extortion,<sup>3</sup> and Massachusetts has provided that passenger, baggage, mail and express cars shall have platform gates.<sup>4</sup>

**Passenger rates.** Iowa has required common carriers to redeem unused tickets,<sup>5</sup> and the New York law requiring railroads to issue 1000 mile books at a reduced rate has been declared unconstitutional by the court of appeals on the ground that it takes property without due process of law.<sup>6</sup> This decision follows a decision of the United States supreme court in 1899 declaring the Michigan mileage book law unconstitutional.<sup>7</sup>

Massachusetts has provided for the running of workingmen's trains in the Boston suburban district.<sup>8</sup> On filing a petition with the board of railroad commissioners for workingmen's trains on any railroad terminating in Boston, such trains shall be furnished by the company in such number, not less than two each way, as the board may order. The trains shall arrive at Boston between 6 and 7.30 a. m. and between 6.30 and 7 p. m. every week day, and shall depart between the same hours. For such trains, for distances not exceeding 15 miles, season tickets shall be furnished at a rate not exceeding \$3 a mile a year, and quarterly and weekly tickets at a rate not exceeding \$1 a mile a quarter, any such tickets to be good once a day each way for six days in the week. For such trains the company may provide

<sup>1</sup>Kan. '98 ch. 28; *State v. Johnson*, 60 P. 1068. <sup>2</sup>Kan. '97 ch. 167; *Atchison, T. and S. F. ry. co. v. Campbell*, 69 P. 1061. <sup>3</sup>Ky. '00 ch. 2. <sup>4</sup>Mass. '00 ch. 223. <sup>5</sup>Ia. '00 ch. 71. <sup>6</sup>N. Y. '95 ch. 1027; *Beardsley v. N. Y. L. E. and W. ry. co.* 162 N. Y. 230. <sup>7</sup>Mich. '91 ch. '90; *L. S. and M. S. ry. co. v. Smith*, 173 U. S. 684. <sup>8</sup>Mass. '00 ch. 298.



special cars. For the Boston suburban district also railroads must provide commutation tickets for not more than 25 trips at such price that the fare for each trip shall not exceed the lowest rate now charged between Boston and the particular point, except the rate for season tickets on workingmen's trains.<sup>1</sup>

**Race distinctions.** A Georgia law requires separate compartments for white and colored passengers on sleeping cars<sup>2</sup> and laws of Virginia require separate cars and separate compartments on steamboats.<sup>3</sup> South Carolina, which formerly required separate compartments in cars, now requires separate cars.<sup>4</sup>

**Street railways.** New Jersey has provided that street railway companies may agree to share the cost of widening country roads, and that companies owning adjacent or adjoining lines may be merged by the unanimous vote of each board of directors.<sup>5</sup> Massachusetts has required street and elevated railways except the Boston elevated railway company, to transport scholars to and from school at half fare, tickets to be sold in lots of 10 each.<sup>6</sup>

**Public health.** Virginia has adopted a revision of its health laws.<sup>7</sup> Under the new system there is a state board of health consisting of seven members appointed by the governor for terms of four years on nomination of the state medical society. The local boards consist of the clerk of the municipal or county court and three physicians appointed by the court on recommendation of the local medical society, and the local health authorities must report monthly to the state board cases of infectious or contagious diseases. The state board is authorized: to annul or modify any regulation of a local board concerning a matter which in its judgment affects public health beyond the jurisdiction of the local board; to appoint a local health officer, if a local board is not appointed; to make suggestions for regulating contagious diseases and, if they are not carried out by the local board, to assume exclusive control of the regulation of the disease; to require the local health authorities to

<sup>1</sup>Mass. '00 ch. 395. <sup>2</sup>Ga. '99 p. 66. <sup>3</sup>Va. '00 ch. 226, 312. <sup>4</sup>S. C. '00 ch. 262. <sup>5</sup>N. J. '00 ch. 58, 138. <sup>6</sup>Mass. '00 ch. 197. <sup>7</sup>Va. '00 ch. 1146.

furnish periodically such vital statistics as it may prescribe; to have the products of suspected cases of contagious disease examined on request of any physician.

New Jersey,<sup>1</sup> South Carolina<sup>2</sup> and Virginia<sup>3</sup> have provided regulations for the transportation of bodies of persons dying of contagious diseases. In New York a tenement house commission has been appointed by the governor to investigate tenement houses in cities of 250,000 and report to the legislature of 1901.<sup>4</sup> This state has also provided for a pulmonary tuberculosis hospital in the Adirondacks.<sup>5</sup> The hospital is placed in charge of a board of trustees consisting of five members appointed by the governor for terms of five years, serving without salary. The board appoints a superintendent and treasurer and also physicians in each city to examine patients applying for admission.

**Practice of embalming.** In 1894 Alabama<sup>6</sup> and Virginia<sup>7</sup> passed laws for the examination and licensing of embalmers. Missouri<sup>8</sup> and Pennsylvania<sup>9</sup> followed in 1895, New York<sup>10</sup> in 1893 and Nebraska,<sup>11</sup> New Hampshire,<sup>12</sup> South Dakota,<sup>13</sup> West Virginia<sup>14</sup> and Georgia<sup>15</sup> in 1899.

**Practice of medicine and dentistry.** Iowa,<sup>16</sup> Ohio<sup>17</sup> and Virginia<sup>18</sup> have been added to the list of states requiring an examination in all cases for the practice of medicine, making 32 states and territories in all. All the other states, except Kansas,<sup>19</sup> require approval of a medical diploma or an examination by a duly qualified board. South Carolina has created a state board of homeopathic medical examiners with powers and duties similar to those of the regular state board.<sup>20</sup> Iowa<sup>21</sup> has been added to the list of states requiring examination in all cases for the practice of dentistry, there being now 24 such states. The other states, except Wyoming,<sup>22</sup> require approval of a dental diploma or an examination by a duly qualified board. Louisiana has created a state board of dentistry of five members appointed by

<sup>1</sup>N. J. '00 ch. 156. <sup>2</sup>S. C. '00 ch. 224. <sup>3</sup>Va. '00 ch. 393. <sup>4</sup>N. Y. '00 ch. 279. <sup>5</sup>N. Y. '00 ch. 416. <sup>6</sup>Ala. '94 ch. 63. <sup>7</sup>Va. '94 ch. 625. <sup>8</sup>Mo. '95 p. 174-75. <sup>9</sup>Pa. '95 ch. 107. <sup>10</sup>N. Y. '98 ch. 555. <sup>11</sup>Neb. '99 ch. 52. <sup>12</sup>N. H. '99 ch. 76. <sup>13</sup>S. D. '99 ch. 87. <sup>14</sup>W. Va. '99 ch. 60. <sup>15</sup>Ga. '99 p. 70. <sup>16</sup>Ia. '00 ch. 89. <sup>17</sup>O. '00 p. 197. <sup>18</sup>Va. '00 ch. 1148. <sup>19</sup>Kansas requires only presentation of diploma or other certificate of qualification to unqualified local officers. <sup>20</sup>S. C. '00 ch. 232. <sup>21</sup>Ia. '00 ch. 91. <sup>22</sup>Wyoming requires only presentation of diploma to unqualified local officers.

the governor for terms of seven years, to take the place of the previous board of examining dentists.<sup>1</sup>

**Pure food.** Virginia has been added to the list of states, now 24 in all, having general pure food laws.<sup>2</sup> In only a few states however, is there any adequate provision for their enforcement. The laws usually provide that any article shall be deemed adulterated and its sale unlawful if it contains any inferior or poisonous substance, if any valuable ingredient has been removed, if it is an imitation of or sold under the name of another article, if it is unwholesome or infected, if it is colored to conceal inferiority, etc.; but certain common mixtures are permitted if labeled to show ingredients. The Virginia law provides that the board of agriculture shall analyze foods and report violations to prosecuting officers. Kentucky has passed an act generally amending its pure food law of 1898.<sup>3</sup>

**Illuminating oils. Engineers.** Georgia has provided for the appointment of a state inspector of oils by the commissioner of agriculture.<sup>4</sup> Iowa requires lamps for the lighter products of petroleum, manufactured or sold for public use, to be approved by the state board of health.<sup>5</sup> Ohio has repealed its law of 1885 authorizing cities and villages to provide for licensing engineers and has passed an act making it unlawful to operate steam boilers or engines of 35 horse power, other than locomotives, without a state license.<sup>6</sup> The governor is to appoint a chief examiner and six district examiners.

**Accountants.** Maryland<sup>7</sup> has created a board of four examiners of public accountants, appointed by the governor for terms of two years. The law provides that certified public accountants must have a certificate from the governor. Provision for the examination and certification of public accountants was made by New York<sup>8</sup> in 1896 and Pennsylvania<sup>9</sup> in 1899.

**Department stores.** In 1899 Missouri passed an act designed to prohibit department stores.<sup>10</sup> The act classifies merchandise in 73 classes and 28 groups and prohibits the sale of more than one

<sup>1</sup>La. '00 ch. 88. <sup>2</sup>Va. '00 ch. 655. <sup>3</sup>Ky. '00 ch. 13. <sup>4</sup>Ga. '99 p. 75. <sup>5</sup>Ia. '00 ch. 83. <sup>6</sup>O. '85 p. 13; '00 p. 33. <sup>7</sup>Md. '00 ch. 719. <sup>8</sup>N. Y. '96 ch. 312. <sup>9</sup>Pa. '99 ch. 17. <sup>10</sup>Mo. '99 p. 72.

group in cities of 50,000 except on the payment of a license of from \$300 to \$500 for each additional group or class sold. Establishments employing not more than 15 persons are exempt from the provisions of the act. This act has been declared unconstitutional by the state supreme court on the ground that taxes must be uniform and that the legislature may not levy a tax for city purposes or deprive persons of liberty without due process of law.<sup>1</sup>

**Trading stamps.** The use of trading stamps was prohibited by Maryland,<sup>2</sup> Massachusetts,<sup>3</sup> Virginia,<sup>4</sup> and Vermont<sup>5</sup> in 1898, by New Hampshire<sup>6</sup> and Rhode Island<sup>7</sup> in 1899 and during the past year by Louisiana<sup>8</sup> and New York.<sup>9</sup> The Rhode Island law has been declared unconstitutional by the state supreme court on the ground that the act is not a valid exercise of the police power and that it deprives citizens of liberty and abridges their privileges and immunities.<sup>10</sup> In 1899 Tennessee passed an act requiring state trading stamp companies to pay a \$500 privilege tax in each county and firms using the stamp a tax of \$250.<sup>11</sup>

**Manufactures in the south.** The enterprise of the southern states in their industrial development is shown by two acts of this year by Mississippi, one offering five years exemption from taxation for all new enterprises established before 1910 and the other providing for the establishment of a textile school.<sup>12</sup>

**Agriculture.** In Iowa a department of agriculture has been created to include the agricultural societies, the state weather and crop service and the offices of the dairy commissioner and state veterinarian.<sup>13</sup> The department is to be managed by a state board of agriculture consisting of the president of the state agricultural college, the dairy commissioner, the state veterinarian and also a president and vice-president, and one member from each congressional district, elected at an annual agricultural convention composed of the state board of agriculture and of delegates from the agricultural societies. The board has general supervision of the agricultural interests of the state and holds the

<sup>1</sup>State v. Ashbrook, 55 S. W. 627. <sup>2</sup>Md. '98 ch. 207. <sup>3</sup>Mass. '98 ch. 576. <sup>4</sup>Va. '98 ch. 406. <sup>5</sup>Vt. '98 ch. 123. <sup>6</sup>N. H. '99 ch. 60. <sup>7</sup>R. I. '99 ch. 652. <sup>8</sup>La. '00 ch. 35. <sup>9</sup>N. Y. '00 ch. 768. <sup>10</sup>State v. Dalton, 46 A. 234. <sup>11</sup>Tenn. '99 ch. 27, 207. <sup>12</sup>Miss. '00 ch. 18, 48. <sup>13</sup>Ia. '00 ch. 58.

state fair and state farmers institute. In New York the management of the state fair has been transferred to a commission consisting of the lieutenant-governor, commissioner of agriculture and nine persons appointed by the governor.<sup>1</sup>

**Horticulture.** Ohio has authorized the board of control of the agricultural experiment station to inspect nurseries, orchards, gardens, etc. and treat trees diseased or infested with insects.<sup>2</sup> Plants shipped into the state must bear a certificate of inspection. In Virginia the board of control of the experiment station has been constituted a board of crop pest commissioners with power to appoint a state entomologist, publish a list of pests and diseases of plants and provide for the quarantine and annual inspection of nursery stock.<sup>3</sup> There are now 20 states that have created a board of horticulture or a state entomologist to investigate diseases and pests and with power in many cases to take the necessary measures to prevent their spread.

**Veterinary medicine.** Iowa has created a state board of veterinary medical examiners of three members appointed by the governor.<sup>4</sup> After January 1, 1901, all applicants for a license must be graduates of a recognized veterinary school and must pass an examination. This makes six states that require an examination in all cases for the practice of veterinary medicine. Seven others require a diploma, examination or certification of some kind.

**Commercial feeding stuffs.** In 1897 Massachusetts<sup>5</sup> and Maine<sup>6</sup> provided for inspection of concentrated commercial feeding stuffs. Vermont<sup>7</sup> followed in 1898, Connecticut,<sup>8</sup> New York<sup>9</sup> and Rhode Island<sup>10</sup> in 1899 and Maryland<sup>11</sup> and New Jersey<sup>12</sup> in 1900.

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<sup>1</sup>N. Y. '00 ch. 346. <sup>2</sup>O. '00 p. 221. <sup>3</sup>Va. '00 ch. 572. <sup>4</sup>Ia. '00 ch. 93. <sup>5</sup>Mass. '97 ch. 117. <sup>6</sup>Me. '97 ch. 334. <sup>7</sup>Vt. '98 ch. 83. <sup>8</sup>Ct. '99 ch. 219. <sup>9</sup>N. Y. '99 ch. 687. <sup>10</sup>R. I. '99 ch. 631. <sup>11</sup>Md. '00 ch. 287. <sup>12</sup>N. J. '00 ch. 29.

## SUMMARY OF LEGISLATION

1 Oct. 1899—30 Sep. 1900

## Public Morals

(See also Crimes, 816; Religious corporations, 800)

## Family

(See also Family property, 514; Guardianship, 600; Charities—children, 1121)

## Marriage

- 1 Parties. Marriage between first cousins prohibited. Amending C.C.'70, art.95. La. 120, 11 J1
- 2 License. Clerk issuing marriage license to ascertain if either of parties are divorced. Amending Code '87 §2229. Va. 257, 3 F
- 3 Solemnization. Record. Persons authorized to perform marriage ceremony may administer oaths; to be entered on back of marriage certificate. N. J. 137, 23 Mr

## Divorce

- 4 Grounds. Amending '87 ch.98 relating to construction of word "desertion." N. J. 23, 7 Mr

## Support of family. Adoption

- 5 Parent refusing to support child who is inmate of county or district children's home guilty of felony. Amending R.S.'97 §3140 subdiv. 2. O. p. 105, 6 Ap
- 6 In divorce suits brought by wife when husband has been directed to support plaintiff and children, court may on application of either party, any time after final judgment heretofore or hereafter rendered annul or modify such direction. Amending C.C.P. §1759 subdiv.2. N. Y. 742, 2 My
- 7 Adoption. Wife of a man who has minor child by former wife may petition to adopt such child. Amending R.S.'97 §3137a. O. p. 219, 14 Ap
- 8 Any [formerly legitimate] child may be adopted; provision as to adoption of illegitimate children. Amending R.S.'93 §2204; '96 ch.86. S. C. 236, 13 F

## Amusements

(Relating chiefly to restricted amusements. See also Bicycles, 1027)

- 9 Gambling. Cities and towns may prohibit gambling houses. Amending Code '97 §704. La. 18, 15 Mr
- 10 Penalty for gaming with thimbles, little joker, dice, crap or other device, imprisonment six months to two years in house of correction and fine of \$100 or both. Amending Code '88 art.27 §129. Md. 348, 7 Ap

- 11 Agricultural society permitting gambling device or game of chance at fairs forfeits right to public money. Amending '93 ch.338 §88. N. Y. 339, 9 Ap
- 12 Racing. Pen.C. §147 forbidding races within one mile of place where court is sitting not to apply to races at fairs. N. Y. 109, 12 Mr
- 13 Prize-fighting. Prohibiting boxing contests and sparring matches with or without gloves for a reward at which an admission fee is charged. Ia. 133, 6 Ap
- 14 Sparring exhibitions with gloves prohibited. Amending Pen.C. §458. N. Y. 270, 2 Ap

### Intoxicating liquors. Narcotics

- 15 State prohibition. Unlawful to solicit, or accept orders for intoxicating liquors; salesmen soliciting orders from persons legally authorized to sell or dispense liquor exempt. Amending Code '97 §2382. Ia. 74, 6 Ap
- 16 Bonds of pharmacists to be approved *and recorded* by clerk of district or superior court; clerk to preserve petitions and other papers *except bonds* pertaining to permit to sell liquors. Amending Code '97 §2390, 2393. Ia. 75, 3 Ap
- 17 Partner not holding permit to sell liquors has same rights and restrictions as clerks; permit-holder responsible for his actions. Amending Code '97 §2401. Ia. 76, 28 F
- 18 Amending Code '97 §2451, relative the revocation of bar to proceedings against persons selling liquors. Ia. 78, 6 Ap
- 19 Local option. Druggist's license for sale of intoxicating liquors amended ('96 ch.397 §10). Mass. 106, 23 F
- 20 Amending '96 ch.112 in regard to local option. N. Y. 367, 10 Ap
- 21 Dispensaries. Abolishing state board of control and creating board of directors of state dispensary; dispensary commissioner to be elected by general assembly; term two years; salary \$3000; county boards of control. Numerous other amendments to dispensary law, '96 ch.61; '97 ch.340. S. C. 243, 13 F
- 22 Prescribing form of bond for county dispensers; attorney-general may employ assistant counsel for enforcement of bonds and collection of penalties. S. C. 244, 19 F
- 23 Submitting the question of repeal of art.27 of constitution providing that the manufacture and sale of liquors be under exclusive state control and be conducted by agents paid by salary, not commissioned. *Adopted November 1900.* S. D. 64, 99
- 24 Liquor licenses. Freeholders recommending persons for license to keep inns and taverns shall be such as have not recommended other applications *that have been granted.* Amending R.S.'94 p.1794. N. J. 115, 23 Mr

- 25 Liquor tax certificates may be granted to foreign corporations acting as common carriers, or *operating dining, buffet, parlor, or sleeping cars*. Amending '96 ch.112 §23 subdv.4. N. Y. 80, 7 Mr
- 26 Amending '96 ch.112 in regard to application for liquor tax certificate, and persons forbidden to traffic in liquors. N. Y. 367, 10 Ap
- 27 Procedure against liquor sellers when tax has not been paid; penalty. O. p.332, 16 Ap
- 28 Intention to apply for liquor license must be advertised by posting notice at court house and place where liquor is to be sold 30 days before application; tax for selling malt liquors in towns under 1000, \$100 [formerly \$40]. Amending '90 ch.244. Va. 1093, 7 Mr
- 29 Persons to whom sale prohibited. Unlawful in any manner to procure liquors for minor or intoxicated person; penalty \$100 for each offense. Amending Code '97 §2403. Ia. 77, 6 Ap
- 30 Illegal traffic. Selling liquors in violation of law declared a nuisance; leaving writ at place where liquors are sold to be sufficient service in injunction proceedings; court may order liquors seized and violators brought before court. Ga. 73, 19 D 99
- 31 Enforcement of law requiring liquor license. Miss. 104, 2 Mr
- 32 Regulating seizure and destruction of liquors unlawfully kept or sold. Miss. 105, 2 Mr
- 33 Mayors and justices of the peace may take testimony in regard to violation of liquor law. Miss. 106, 12 Mr
- 34 Inebriates. Private hospitals and sanitariums may receive and treat victims of alcohol, morphine and other drugs; to be subject to inspection of superintendent of state sanitariums and chairman of board of medical examiners. Ga. p.81, 19 D 99
- 35 Dangerous inebriates to be admitted to state lunatic asylum on payment of two months' board (\$41.60) by county. Amending '84 ch.508 §4. S. C. 239, 19 F
- 36 Tobacco. Misdemeanor to sell cigarettes to minors. Ia. 98, 10 JI

### Order. Decency

(See also Crimes, 316)

- 37 Inhumanity. Baiting or killing of baited doves prohibited. Ga. '98 p.107. *Unconstitutional*. Body of statute contains matter not comprehended in its title. Harris v. State, 36 S. E. 232.
- 38 Unlawful to employ children under 14 as acrobats, beggars or street musicians. Md. 334, 5 Ap
- 39 Abandoned animals may be destroyed by officer of society for prevention of cruelty to animals. Md. 456, 7 Ap
- 40 Any officers of incorporated society for prevention of cruelty to animals may make arrests. Amending '92 ch.340 §2. Md. 462, 7 Ap



- 41 Persons arrested without warrant for cruelty to animals not to be kept in custody more than 24 [formerly 6] hours. Amending G.L.'96 ch.114 §5, 11 as amended by '98 ch.548. R. I. 747, 4 My
- 42 Prostitution. Male living on earnings of prostitution or soliciting for immoral purposes or living in company of prostitute and having no visible means of support a vagrant. N. Y. 281, 5 Ap
- 43 Bastardy. Amending P.S. ch.85 §2 as to who may make complaint in bastardy cases. Mass. 129, 7 Mr
- 44 Amending '98 ch.241 §16 relating to payment of costs and expenses and execution of bond in suits for maintenance of bastard children. N. J. 143, 23 Mr
- 45 When recovery cannot be had on undertaking given by defendant for support of bastard, he may be rearrested and compelled to give a new undertaking. Amending '97 ch.378. N. Y. 713, 1 My
- 46 Obscenity. Blasphemy. Penalty for using blasphemous or obscene language 30 days imprisonment or \$100 fine [formerly or both]. Amending Code '97 §5034. Ia. 132, 2 Mr
- 47 Slot machines containing immoral pictures forbidden. Amending Pen.C. §317 subdiv.1. N. Y. 731, 1 My
- 48 Unlawful to use instrument that utters language or exhibits pictures which tend to corrupt youth; penalty. R. I. 745, 4 My
- 49 Penalty for dealing in obscene literature not exceeding two [formerly one] years imprisonment or fine of \$100 to \$1000 [formerly \$500]. Amending G.L.'96 ch.281 §13. R. I. 752, 4 My
- 50 Sunday observance. Railroads not running more than 30 [formerly three] miles through state exempt from law relating to running freight trains on Sunday. Amending Code '95 v.3 §420. Ga. p.88, 14 D 99
- 51 Cities and towns under 50,000 may regulate or prohibit opening of barber shops on Sundays. La. 66, 6 Jl
- 52 Act ('95 ch.434 §2) regulating observance of Lord's day not to prohibit sale of tobacco by licensed innholders, druggists and newsdealers. Mass. 440, 6 Jl
- 53 Disorderly conduct. Penalty for disturbance of peace not less than \$1 nor more than \$25 and costs; justices of peace to have concurrent jurisdiction with courts having criminal jurisdiction. Amending Code '88 art.27 §67 as amended by '98 ch.351. Md. 285, 5 Ap
- 54 Boisterous conduct on public highway without just cause or excuse, a misdemeanor. Amending '99 ch.67. S. C. 254, 19 F
- 55 Forbidding disorderly conduct on railroad and street railway cars. Va. 551, 26 F
- 56 Fine or imprisonment [formerly both] for disturbing religious meeting. Amending Code '87 §3905. Va. 1000, 7 Mr

## Education

(See also Deaf and dumb, blind, 1132)

### School organization

- 57 **General. Systems. Codes.** State superintendent of public instruction may publish statistical and other information relating to education; visit teachers' associations and inspect institutions; deliver addresses; prepare blanks for school returns; prepare questions for use of county superintendents in teachers' examinations; prepare courses of study for rural and high schools; appoint person to make report on failure of county superintendent to do so. Ia. 94, 4 Ap
- 58 Creating state superintendent of public education to be appointed by governor; term four years; salary not to exceed \$3000 and \$500 travelling expenses: to diffuse information, remove county examiners with consent of two-thirds of board of education, receive reports of boards of county school commissioners, and hold annual institute in each county. Md. 428, 7 Ap
- 59 Revision of laws relating to public instruction. 90p. N.J. 96, 23 Mr
- 60 **Meetings. Elections.** Board of directors may call special meeting of voters of school corporation [formerly whenever the corporation has lost use of a schoolhouse by fire or otherwise]. Amending Code '97 §2750. Ia. 104, 4 Ap
- 61 When board of school directors is reduced below a quorum, secretary shall call special election. Amending Code '97 §2771. Ia. 106, 7 Ap

### Districts

- 62 **Formation. Division. Consolidation.** School corporations may be divided into *such number of precincts* [formerly not more than five] *as board of directors shall determine.* Amending Code '97 §2755. Ia. 105, 9 F
- 63 Special school districts in any county shall not exceed one fourth the number of regular districts. Amending '94 ch.66. Miss. 116, 10 Mr
- 64 Commissioners of each county in which there is territory not organized for school purposes may create districts; school township containing city of 800 may organize exterior territory. *N. D. '99 ch.143. Unconstitutional.* General laws must have uniform application. *Plummer v. Boosheim*, 80 N. W. 690.
- 65 Township treasurer to pay relative portion of surplus money to treasurer of newly created school district. Amending R.S.'97 §3946. O. p.64, 22 Mr

- 66 Cities of *first*, second and third grades of first class to constitute school districts of *first*, second and third grades of first class. Amending R.S.'97 §3886. O. p.125, 12 Ap
- 67 Special school district may *by majority vote* of electors withdraw from district organization to become part of township. Amending R.S.'97 §3926. O. p.234, 16 Ap
- 68 Township may by vote abolish all sub-districts and centralize schools; must transport all pupils living more than three fourths mile from central building. O. p.317, 16 Ap
- 69 New school districts to be formed and old ones consolidated only on petition of one third of electors; territory in two counties may be formed into one district. Amending '96 ch.63 §31. S. C. 205, 19 F
- 70 Independent school districts each to have *seven* [formerly six] trustees; term *two* [formerly four] years; method of electing; duties. Repealing R.S.'95 art.4001, 4007-12, 4017-22; '99 ch.51. Tex. 7, 21 F

#### Officers. Boards

- 71 **State.** State superintendent of public instruction to receive \$300 [formerly \$250] for travelling expenses. Amending Code '97 §2627. Ia. 94, 4 Ap
- 72 **State superintendent** to be *ex-officio* secretary of board of education [formerly person appointed by board]; he may appoint assistant secretary at \$300. Amending '88 ch.81 §2 as amended by '96 ch.85 §1. La. 165, 12 Jl
- 73 Examination question papers to be printed by employees and in rooms of University of state of New York. Amending '92 ch.683 §72. N. Y. 477, 17 Ap
- 74 **Local.** *Governor* [formerly judges of circuit courts] to appoint county school commissioners; number and term in different counties. Amending Code '88 art.77 §6. Md. 29, 1 Mr
- 75 Granting corporate powers to boards of county school commissioners. Md. 389, 7 Ap
- 76 School committees may and after July 1, 1902, shall employ a superintendent of schools; towns with valuation below \$2,500,000 may unite for such employment. Amending P.S. ch.44 §44, 45 and '98 ch.466 §6, 7. Mass. 248, 18 Ap
- 77 Repealing provision prohibiting district school trustees from being trustees of or stockholders in schools for higher education. Special school districts of 2500 inhabitants may elect nine trustees. Amending '96 ch.63 §36. S. C. 206, 19 F
- 78 Misdemeanor for school trustee to be pecuniarily interested in contract with his district. Amending '96 ch.63 §53. S. C. 208, 19 F

**Buildings. Grounds**

- 79 School corporations may issue bonds for buying schoolhouse sites. Amending '98 ch.95. Ia. 142, 6 Ap
- 80 Boards of education in cities of 100,000 may appoint superintendents of erection and repairs and fix their duties and salary; term not to exceed five years. N. J. 64, 20 Mr
- 81 Municipalities may vote to issue 20 year 4% bonds to buy lands and enlarge and furnish school houses. N. J. 145, 23 Mr
- 82 Cities of 10,000 to 20,000 may buy lands, construct and repair buildings for high schools. N. J. '96 ch.21. *Unconstitutional.* Special laws for the support of free public schools shall not be passed. *Lowthorp v. City of Trenton*, 44 A. 755.

**School finance****State funds.** (*See also* State finance, 333)

- 83 **Funds. Lands.** (*See also* Public lands, 000) Amending R.S.'97 §364, 365 as to duty of state school commissioner in case of fraudulent use of school funds; examiner to receive \$5 [formerly \$3] per day. O. p.312, 16 Ap
- 84 Extending for 20 years time for payment of principal of purchase money for school lands. Amending '79 ch.28; '81 ch.61. Tex. 10, 22 F
- 85 4,440,195 acres of land set apart as permanent school fund of state; provision for survey and sale. Tex. 11, 23 F
- 86 **Investment of funds.** Submitting constitutional amendment allowing permanent educational funds of the state to be loaned on school district bonds and on state warrants. *Adopted November 1900.* Id. p.330, 3 Mr 99
- 87 Proceeds of sale of 16th section school lands may be invested in 4% state levee bonds. La. 54, 5 Jl
- 88 Submitting constitutional amendment permitting permanent school and university funds to be invested in local government bonds which will not make debts exceed 15% [formerly 7%] of assessed valuation. *Rejected November 1900.* Minn. 92, 23 Mr 99
- 89 **Miscellaneous regulations.** Form of annual certificate of school committees to state board of education amended ('98 ch.496 §17). Mass. 175, 23 Mr
- 90 State board of education may expend annually \$1200 [formerly \$1000] for blanks for returns of school committees. Amending '99 ch.111 §1. Mass. 187, 3 Ap

**Local taxes and funds**

- 91 School corporations may accept and administer bequests. Amending Code '97 §740. Ia. 23, 27 F
- 92 Institute fund to be deposited with county treasurer on receipt warrant of clerk of board of supervisors; to be paid out also on his warrant. Amending Code '92 §4065. Miss. 114, 12 Mr

- 93 School funds may be used for all necessary school supplies other than books, and for supplementing salaries of teachers during term. Amending '92 §4152. *Miss.* 118, 19 F
- 94 **Taxes.** Cities of 50,000 may levy in addition to school tax authorized by law, tax of  $1\frac{1}{2}$  mills for school purposes. *Minn.* '99, ch.40. *Unconstitutional.* Special legislation regulating three districts. *State v. Johnson*, 80 N. W. 620.
- 95 Submitting constitutional amendment requiring poll tax to be kept as school fund in counties where collected, and repealing provision requiring it to be apportioned to school districts in proportion to number of children. *Vote November 1900. See p. 588.*  
*Miss.* 201, 6 Mr
- 96 Method of submitting tax levy for school houses to voters of *any* district [formerly any except a city district of first class]. Amending R.S.'97 §3991. *O.* p.38, 16 Mr
- 97 Amending '96 ch.63 §34, relating to method of levying special school tax. *S. C.* 207, 13 F
- 98 Amending '90 ch.470, relating to assessment and collection of taxes for school purposes. *S. C.* 202, 17 F
- 99 **Debts.** Amending S.'94 §3219 relative to assent of voters to bond issue by board of education; board may pledge property; sinking fund. *Ky.* 22, 20 Mr
- 100 Voters of school districts may authorize board of education to issue bonds at 5%; lien on real and personal estate of district.  
*N. J.* 36, 15 Mr
- 101 State auditor to register and certify regularity of issuance of school bonds on back thereof. *Okl.* '95 ch.7 §3. *Unconstitutional.* Violates organic act of territory providing that judicial power shall be exercised by courts. *Territory v. Hopkins*, 59 P. 976.
- 102 **Investment of funds.** Permanent school fund in counties to be loaned out in sums of \$3000 [formerly \$1000] or less at *not less than 5%* [formerly 6%] interest; state auditor to charge counties  $\frac{1}{4}$  1-2% [formerly 5%] interest on permanent school fund. Amending Code '97 §2849, 2855. *Ia.* 113, 3 Mr
- 103 Submitting constitutional amendment: counties to invest permanent school and endowment funds in bonds of school corporation, state, county or municipality, or in first mortgages on improved farm lands. *Adopted November 1900.* *S. D.* 63, '99

### Teachers

- 104 **Employment. Pay.** Board of school directors may authorize sub-director to employ teachers for his sub-district. Amending Code '97 §2778. *Ia.* 107, 16 Ap
- 105 Withdrawing from county school commissioners power to fix salaries of teachers. Amending Code '88 art.77 §21. *Md.* 520, 7 Ap
- 106 Establishing a teachers' retirement fund in Boston.  
*Mass.* 237, 17 Ap

- 107 Trustees of public and chartered schools shall in joint session elect teachers for public school where it is located at chartered school. Amending Code '92 §3994. *Miss.* 117, 12 Mr
- 108 Optional law grading salaries of teachers in graded schools according to experience. *N. J.* 169, 23 Mr
- 109 **Examinations. Certificates.** All students or graduates of schools and colleges to stand examination and obtain license before teaching in public schools. *Ga.* p.51, 20 D 90
- 110 Educational board of examiners may issue special certificates to teachers of special branches. Repealing Code '97 §2630. *Ia.* 96, 4 Ap
- 111 Member or the secretary of state board of educational examiners may preside at public examinations. Amending Code '97 §2629. *Ia.* 95, 6 Ap
- 112 Members of county examining board shall not be related by affinity or consanguinity. Amending Code '92 §4016. *Miss.* 113, 12 Mr
- 113 Per cent in each subject to be shown on face of all teachers licenses issued by state board of examiners. Amending '96 ch.106 §8. *Miss.* 115, 21 F
- 114 **Institutes.** State board of education may hold summer schools for teachers. *Mass.* 219, 11 Ap
- 115 **Normal schools.** Faculty of state normal school to consist of principal and as many teachers as shall be determined by state board of education [formerly two male and two female professors]. Amending Code '88 art.77 §71. *Md.* 428, 7 Ap
- 116 Pupils of state normal school may receive not exceeding \$15 [formerly \$10] each quarter for traveling expenses; aggregate of such expenses per year not to exceed \$3000 [formerly \$1500]. Amending G.L.'96 ch.63 §5. *B. I.* 719, 9 F
- 117 Graduates of state normal school to receive diploma issued [formerly signed] by trustees of school. Amending G.L.'96 ch.63 §3. *B. I.* 779, 30 My

### Attendance. Instruction

#### Attendance

- 118 **Negroes.** Repealing '94 ch.556 t.15 art.11 §28 providing separate schools for negroes. Admission to any school not to be denied on account of race or color. *N. Y.* 492, 18 Ap
- 119 **Compulsory attendance.** Requiring Indian children on Allegany and Cattaraugus reservations from six to 16 to attend school for entire session; superintendent to appoint truant officers and contract for keeping truants; employment of such children without consent of superintendent forbidden. *N. Y.* 183, 22 Mr

- 120 **Conveyance of pupils. Consolidation of schools.** In contingent fund of district schools \$5 may be estimated for each person of school age for transporting children to and from school. Amending Code '97 §2806. **Ia. 108, 7 Ap**
- 121 **School committee of towns may, *subject to approval of commissioner of public schools*, consolidate schools to establish graded school or to secure greater efficiency of schools.** Amending G.L.'96 ch.544 §8. **R. I. 743, 3 My**
- 122 **School year.** Towns with an assessed valuation below \$200,000 may reduce school year from 32 to 28 weeks with consent of state board of education. **Mass. 218, 11 Ap**
- 123 **Census.** Compensation of assessor for enumeration of school children to be apportioned between county and municipality. Amending Code '92 §4069. **Miss. 110, 12 Mr**
- 124 **School committee of towns and cities or person whom they shall appoint** [formerly town clerk or person appointed by board of aldermen] to take annual school census; compensation. Amending G.L.'96 ch.54 §13. **R. I. 739, 24 Ap**

**Text books**

- 125 **Uniform text books of county to be in charge of county superintendent unless otherwise ordered by board of education.** Amending Code '97 §2832. **Ia. 112, 14 Mr**
- 126 **Question of county uniformity of text books to be submitted to electors on petition of *one third* [formerly one half] of rural school directors in county.** Amending Code '97 §2832. **Ia. 111, 29 Mr**
- 127 **County superintendent of education to keep office open at certain times for purchase of school books.** Amending '97 ch.257; '98 ch. 473. **S. C. 204, 17 F**
- 128 **Unlawful for teachers, superintendents or trustees of schools to act as agents for text books.** **Tex. 7, 21 F**

**Branches**

- 129 **Elements of vocal music shall be taught in public schools and normal institutes.** **Ia. 109, 19 Ap**
- 130 **Boards of education may employ teachers of vocal music.** **O. p.377, 16 Ap**
- 131 **Public schools to give definite instruction on nature and effects of alcoholic drinks; same tests for promotion as in other branches; penalty for noncompliance.** Repealing '88 p. 213. **O. p.396, 16 Ap**
- 132 **Physiology and hygiene with effects of narcotics, history of United States and of Virginia to be taught in public schools; superintendent of public instruction to arrange for introduction of civil government and drawing.** Amending Code '87 §1497. **Va. 132, 24 Ja**

**High schools. Lectures**

- 133 Cities and towns may provide free evening lectures [formerly cities and towns maintaining free evening schools]. Amending '93 ch.208 §1. **Mass.** 166, 21 Mr
- 134 High school or college may charge tuition for all pupils pursuing studies beyond public school curriculum. Amending Code '92 §4036. **Miss.** 112, 9 Mr
- 135 Tuition of high school pupil *shall* [formerly may] be paid by board of education of township or *special district* in which pupil resides; *provided there is no high school in such township or district.* Amending R.S.'97 §4028-1. **O.** p.175, 14 Ap

**Higher and professional education**

- 136 **Private institutions.** (*See also* Membership corporations, 232) Submitting constitutional amendment confirming the founding of Leland Stanford university and authorizing exemption from taxation. *Vote November 1900. See p. 588.* **Cal. j. r.** 23, 3 Mr 99
- 137 Making permanent right of institutions of learning to grant degrees and diplomas. **La.** 96, 10 JI
- 138 Corporations may be formed to promote education under religious influences. Amending R.S.'97 §3751. **O.** p.331, 16 Ap
- 139 **State agricultural and technological colleges.** Local board of trustees of state technological school to meet every three months; annual report to governor; to receive \$4 per day and railroad fare. **Ga.** p.50, 19 D 99
- 140 State agricultural college may loan funds at rate of interest [formerly not less than 6%] to be fixed by board of trustees. Amending Code '97 §2667. **Ia.** 98, 24 Ja
- 141 Establishing textile school in connection with agricultural and mechanical college; \$40,000 appropriated. **Miss.** 18, 3 Mr
- 142 New York college of forestry. Moneys from sale of timber to be deposited in banks designated by controller; final accounting to be rendered by trustees and balances paid to state treasurer. Amending '98 ch.122 §7. **N. Y.** 301, 6 Ap
- 143 **Ceramics.** \$20,000 for establishment and maintenance of state school of ceramics at Alfred university. **N. Y.** 383, 11 Ap
- 144 **Medical schools.** Bodies may in certain cases be distributed to medical colleges for scientific purposes. Repealing Code '97 §4946. **Ia.** 129, 16 Ap
- 145 Degree of medical and surgical nurse may be conferred on graduates of training schools. **N. J.** 49, 19 Mr



## Libraries

## State libraries

- 146 Consolidating miscellaneous portion of state library with historical department; annual appropriation for library and historical department \$10,000, for law department \$2500; salary of librarian \$2000, of curator of historical department \$1600, of assistant librarian \$1200. Ia. 114, 12 Mr
- 147 Salary of first assistant in state library to be \$1000 [formerly \$600]; second assistant \$800 [formerly \$500]; third assistant \$700 [formerly \$400]. Amending Code '97 §2881. Ia. 115, 6 Ap
- 148 Creating position of indexer and cataloguer in state library; appointed by governor with advice of library committee; term two years; salary \$600. Md. 271, 5 Ap
- 149 Salary of state librarian \$800 [formerly \$600]. Amending '98 ch.476 §3. S. C. 228, 9 F
- 150 Public documents. Trustees of state library to distribute state publications to approved colleges, schools and historical societies in state. / S. C. 339, 17 F

## Public libraries

- 151 State supervision. Traveling libraries. Creating state library commission consisting of state librarian, superintendent of public instruction, president of state university and four persons of which two must be women, appointed by the governor for five years with partial renewal. Commission to advise libraries, aid in establishment of new libraries, cooperate with state library in development of traveling libraries and obtain reports from libraries. Members to serve without pay; commission to employ a secretary; \$2000 for expenses. Ia. 116, 20 Mr
- 152 Appropriating \$2000 annually for books and equipments for traveling libraries and for such other purposes as are for the best interest of the traveling library system. Amending '98 ch.148. Ia. 145, 4 Ap
- 153 State board of public library commissioners may expend \$100 for books for free libraries in towns with a valuation not exceeding \$600,000. Mass. 233, 13 Ap
- 154 Governor to appoint five library commissioners; term five years; \$500 for annual expenses; may give \$100 to libraries expending equal sum for books; shall advise libraries. N. J. 62, 20 Mr
- 155 Establishment. Support. Government. Library trustees may authorize use of libraries by non-residents and fix charges therefor. Amending Code '97 §729. Ia. 20, 2 Mr
- 156 Cities and towns under 25,000 [formerly 15,000] may levy tax of two mills for maintenance of public library; any city or town [formerly of 25,000] may also levy three mills for purchase of real estate and erection of building. Amending Code '97 §732. Ia. 21, 5 Mr

## Education

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### NEW YORK STATE LIBRARY

- 157 City councils to levy tax, *or so much thereof as it may deem necessary*, certified by library trustees. Amending Code '97 §73. Ia. 22, 6 Ap
- 158 Cities of second class having accumulated \$20,000 for free public libraries shall provide annually \$5000 for support thereof.  
Ky. 9, 17 Mr
- 159 Public libraries exempt from taxation. Miss. 52, 8 Mr
- 160 Common councils may make additional appropriation for equipping and decorating free public library; may issue 4% bonds not exceeding \$50,000. N. J. 47, 19 Mr
- 161 Trustees of free public libraries may file certificate of amount necessary for buying land and erecting buildings after prescribed time has elapsed. N. J. 56, 20 Mr
- 162 Law for government of cities of 50,000 to 250,000 ('98 ch.182) not to alter existing library laws. Amending '92 ch.378 §54.  
N. Y. 22, 24 F
- 163 Authorizing cities and towns to establish public libraries and reading rooms and levy one mill tax therefor. Va. 598, 5 Mr
- 164 County law libraries. Amending R.S.'97 §2680, relative to annual appropriations for county law libraries. O. p.135, 13 Ap
- 165 Books and furniture of county law libraries exempt from taxation. Amending R.S.'97 §2678. O. p.237, 16 Ap
- 166 School libraries. School townships and rural independent districts to expend annually five to 15 cents for each person of school age for purchase of school libraries; books to be selected from lists prepared by state board of educational examiners; in school townships books to be semi-annually redistributed among sub-districts. Books may be loaned to any resident. Ia. 110, 29 Mr

#### Private associations

- 167 Libraries free to children of a public school exempt from taxation.  
Miss. 50, 12 Mr

### Scientific work. Art

(See also Expositions, 1422)

- 168 Academy of sciences. Annual reports of Iowa academy of sciences to be published with necessary illustrations. Amending Code '97 §136. Ia. 5, 5 Ap
- 169 History. Archives. Appropriating \$2000 for further publication of state archives by Maryland historical society; sale and distribution. Md. 497, 7 Ap
- 170 Extending term of Old colony commission to *January 6, 1901* [formerly May 6, 1900]. Mass. 145, 14 Mr
- 171 President of Mississippi historical society to appoint five active members who shall constitute a history commission and report to legislature; \$2000 appropriated for use of society.  
Miss. 40, 2 Mr

- 172 State historian may employ *chief clerk* [formerly stenographer], salary \$1500 [formerly \$1000]. Amending '95 ch.398 §2.  
N. Y. 63, 1 Mr
- 173 Topography. Providing for distribution and sale by commissioners of topographical survey of boundary line atlases of cities and towns.  
Mass. 360, 31 My
- 174 Abolishing office of superintendent of state land survey. Repealing '96 ch.589.  
N. Y. 661, 25 Ap
- 175 Biology. Amending '98 ch.182 §2 relative to powers of board of control of biologic station on Gulf coast.  
La. 163, 12 Jl
- 176 Museums. Creating state museum in New Orleans, provided it be without cost to state; 18 curators, 15 appointed by governor; term four years; annual report; donations and loans.  
La. 90, 10 Jl
- 177 Museums receiving public money may charge admission fee at certain hours. Amending '92 ch.378 §37.  
N. Y. 481, 17 Ap
- 178 Art. Portraits of present and future governors to be procured; not more than \$1000 to be expended for each portrait.  
Mass. 297, 4 My

## Political regulations

(See also State and local government, 828)

### Citizenship

- 179 Aliens. Lands held by alien corporations or corporations one half of whose stock is owned by non-resident aliens shall be disposed of within 10 years or become subject to escheat.  
La. 117, 14 Mr
- 180 Amending '85 ch.345 §2, 6 relative to time for final applications for naturalization and fee of clerks.  
Mass. 374, 7 Je

### Elections

(See also for term of office, vacancies, etc. the various officers under State and Local government.)

- 181 Elections generally. Amending '98 ch.152 relative to size of election precincts, nomination papers, time of filing nominations with secretary of state, contest board, promulgation of nominations and instructions for voters.  
La. 132, 11 Jl
- 182 General election law. State board elected by legislature to appoint and remove county boards who shall appoint precinct officers. Registration; uniform, unofficial ballots without party device; contested elections of state officers determined by legislature; treating forbidden. [This law is same in main provisions as law repealed, '99 ch.507].  
N. C. 1, 13 Je

- 183 Submitting constitutional amendment: annual election of state officers in *November* [formerly April]; method of filling vacancies; voters of whom registration is required to be registered before July 1 next preceding the day of voting; provisions requiring vote by ballot, and that votes for state officers be sent sealed to secretary of state and counted and declared by legislature in grand committee, repealed. *Adopted November 1900.*

B. I. j.r.1, 9 F; 789, 13 Je

#### Suffrage

- 184 **Women.** Submitting constitutional amendment allowing woman suffrage. *Rejected June 1900.* Or. p.143, 18 F 99; p.1123, 31 Ja 99
- 185 **Qualifications.** Amending Code '95 §48 relative to filing lists of persons disqualified from voting. Ga. p.21, 20 D 99
- 186 Submitting constitutional amendment fixing qualifications of voters; must be able to read and write English unless voter in 1867 or lineal descendant of such. Amending '99 ch.218. *Adopted August 1900; effective July 1902.* N. C. 2, 13 Je

#### Nominations. Caucuses

- 187 **Primaries.** Submitting constitutional amendment authorizing legislature to regulate primary elections. *Vote November 1900. See p. 588.* Cal. j. r. 35, 18 Mr 99
- 188 General primary election law; conduct regulated by party committees subject to simple requirements as to notice, officers etc. La. 133, 11 Jl
- 189 Law relative to caucuses of political parties applied to caucuses to elect delegates to national conventions. Mass. 120, 1 Mr
- 190 Providing for the election of committeemen to fill vacancies on annual primary day; when nominations for city or ward officers are made at primary election, inspectors shall file certificates of votes with custodian of primary records. Amending '98 ch.179 §4 ¶2 and '99 ch.473 §12. N. Y. 202, 23 Mr
- 191 Elector in territory annexed to city or village may be enrolled in party any time between general election and first of following July. Amending '98 ch.179 §3 subdiv.4. N. Y. 204, 23 Mr
- 192 Minor amendment to '98 ch.179 §3 subdiv.1, 3 as to secret enrollment for primary elections at time of registration. N. Y. 225, 23 Mr
- 193 *Tenth* [formerly seventh] Tuesday before general election in presidential years to be annual primary day. Amending '98 ch.179 §4 subdiv.1, 2. N. Y. 506, 18 Ap
- 194 Repealing '96 ch.25 requiring voters in counties containing a city of 40,000 to produce registration certificates at primary elections. Cities of 20,000 to have party registration of voters for primary elections under regulations prescribed by the rules of the party. Amending '88 ch.9; '96 ch.25. S. C. 211, 19 F

- 195 **Certificates.** Certificates of nomination to state offices to be filed with secretary of state 25 [formerly 20] days before election. Amending Code '88 art.33 §42 as amended by '96 ch.202.

Md. 366, 7 Ap

- 196 **Independent nominations.** Statement of pledge on nomination paper may be stricken out on request, rendering the paper void. Amending '98 ch.548 §109.

Mass. 245, 18 Ap

**Registration**

- 197 Registration office to be open prior to any general, *city or special* election. Amending Code '97 §1077. Ia. 33, 6 Ap
- 198 Witnesses may be summoned to testify before board of registrars of voters, or in Boston the board of election commissioners. Amending P.S. ch.169 §7; '82 ch.267 §1. Mass. 267, 26 Ap
- 199 Minor amendments to Code '87 §67, 71 regulating appointment of registrars and registration of voters. Va. 801, 5 Mr

**Election officers**

- 200 Amending Code supplement '98 art.33 §10 relative to notice of names of judges and clerks of election. Md. 464, 7 Ap
- 201 State board of election commissioners to appoint registrars of election in each county on *Feb. 15* [formerly Jan. 1] after general election. Amending Code '92 §3603. Miss. 75, 9 F
- 202 In cities of first and second classes members of election board to serve *four* [formerly two] years; may be removed by mayor *for cause after public hearing*. Amending R.S.'97 §2926b. O. p.202, 14 Ap
- 203 General assembly to elect county and city electoral board at each *regular* [formerly alternate] session; members to take office *April 1* [formerly Jan. 1]; term *two* [formerly four] years. Amending Code '87 §64. Va. 785, 5 Mr

**Districts. Notices. Days**

- 204 **Districts.** Amending '98 ch.439 relating to location and names of voting precincts. S. C. 210, 19 F
- 205 **Notices.** Governor to order election in cities of less than 1000 when quorum of intendant and wardens is prevented by death or other disability. Amending '96 ch.37. S. C. 215, 17 F
- 206 **Days. Hours.** In all elections polls shall close at *seven* [formerly six] p. m. Amending Code '97 §1096. Ia. 34, 14 Mr
- 207 Submitting amendment to article 12 of constitution; general biennial elections to be held in *even* [formerly odd] years. *Adopted November 1900.* Ia. j. r. 1.
- 208 Submitting constitutional amendment providing that county and district elections shall be held in *November* [formerly May]. *Vote November 1901.* Va. 839, 6 Mr

**Ballots. Voting**

- 209 Form. Amendments.** *Separate* ballots to be used in voting on constitutional amendments or other public measures. Amending Code '97 §1106. **Ia.** 35, 3 Ap
- 210** Political designations of candidates nominated *otherwise than by nomination papers*. Amending '98 ch.548 §147, 193. **Mass.** 231, 13 Ap
- 211 Marking. Casting. Assistance.** Writing a name on ballot without making cross opposite or making a cross opposite a blank without writing a name therein not to affect validity of vote. Amending Code '97 §1119. **Ia.** 36, 7 Ap
- 212** Amending '98 ch.139 §52 relating to method of marking ballots in voting on propositions submitted to people. **N. J.** 114, 23 Mr
- 213** Amending '94 ch.746 as to marking tickets, and assistance to voters. **Va.** 877, 6 Mr
- 214 Voting machines.** Voting machines may be used at all elections; governor to appoint three commissioners to examine voting machines. **Ia.** 37, 16 Ap
- 215** Amending '98 p.277 relative to buying voting machines. **O.** p.308, 16 Ap
- 216** Voting machine commission created to examine machines and make regulations for their use by cities and towns; machines to be purchased by secretary of state at not exceeding \$250 each and furnished to cities and towns on application; \$15,000 appropriated. **B. I.** 744, 3 My; 794, 13 Je
- 217 Corrupt practices.** Unlawful for corporations to contribute to campaign funds or influence vote of employees; penalty. **Ky.** 12, 17 Mr
- 218** Employees to be allowed time to vote. **Md.** 71, 20 Mr
- 219** Political committees whose receipts or disbursements in any election do not exceed \$20 shall certify that fact to secretary of state. Amending '98 ch.548 §289. **Mass.** 307, 8 My
- 220** Misdemeanor to solicit money or other property from candidate for newspaper support. Amending Pen. C. t.5. **N. Y.** 70, 2 Mr
- 221** Voter may absent himself from employment 2 hours in order to vote. Amending R.S.'97 t.14 ch.2. **O.** p.232, 16 Ap

**Contests**

- 222** In contests courts shall hear appeal in equity and determine anew all questions arising. Amending Code '97 §1222. **Ia.** 39, 24 F

**Special classes of elections**

- 223 National.** Presidential electors to be elected *by the electors of the state*. Amending Code '97 §1173. **Ia.** 38, 15 Mr

**Law making**

- 224 Constitutional amendments.** Submitting constitutional amendment; assembly not to propose amendments to more than *six* [formerly one] articles at one session; publication. *Adopted November 1900.* Col. 82, 16 F 90

**Legislature. Members, officers**

- 225** Verbal amendment to '95 ch.410 relating to officers of senate and assembly and their salaries. N. J. 20, 7 Mr
- 226** Submitting constitutional amendment: annual session at Providence, beginning first Tuesday in January [formerly annual session at Newport, beginning last Tuesday in May and annual adjourned session at Providence]; members to receive \$5 [formerly \$1] per day; procedure for filling vacancies amended. *Adopted November 1900.* R. I. j. r. 1, 9 F; 789, 13 Je
- 227** At extra sessions, president of senate and speaker of assembly shall each receive \$300 [formerly \$360]; if office of assemblyman becomes vacant during session and new member elected, salary to be divided in proportion to time served. Amending Code '87 §184 subdiv.1. Va. 841, 6 Mr

- 228 Sessions. Apportionment.** Submitting constitutional amendment allowing newly created county one representative *in excess of limit fixed to membership of house.* *Adopted November 1900.*

Fla. j. r. 1, '99

- 229** Apportioning state into 92 districts at ratio of one representative to 22,000. Ia. 175, 6 Ap

- 230** Submitting amendment to art.12 of constitution; biennial sessions of assembly in odd [formerly even] years. *Adopted November 1900.* Ia. j. r. 1.

- 231** Submitting constitutional amendment re-apportioning representation in house of delegates. *Vote November 1901.* Md. 432, 7 Ap

- 232** Submitting amendment to constitution art.3 §2; Baltimore to be divided into four legislative districts; one senator from each. *Vote November 1901.* Md. 469, 7 Ap

- 233** Constitutional amendment relative to apportionment. *Vote November 1900. See p. 588.* Miss. 202, 8 Mr

**Legislative procedure**

- 234 Bills.** Repealing '99 ch.217 creating office of supervisor of bills, abolishing office of engrossing clerk and providing for the printing of bills and resolutions before presenting to governor for approval. N. J. 6, 28 F

- 235 Committees. Testimony.** Attorney general shall on request give advice to legislative committees as to legal effect of proposed measures. Mass. 373, 7 Je

- 236** Committees of legislature may compel attendance and testimony of witnesses. Amending C.C.P. §854. N. Y. 587, 23 Ap

- 237 **Lobbying.** Names of agents to promote or oppose legislation to be entered on legislative docket; persons employing agents to make sworn statement of all expenses paid for agents; written authorization to act as agent to be filed with secretary of state. Governor may require sworn statement of agents concerning any bill presented for his approval. Md. 328, 7 Ap

**Laws. Codes**

- 238 **Revision. Codification.** New codes or revisions have been issued in 1900 for Illinois (unofficial), Kansas (unofficial), Missouri, Nevada (unofficial), North Carolina (unofficial), North Dakota, West Virginia and Wyoming.
- 239 Legalizing Poe's codification of laws of 1890 to 1898 as supplement to general laws. Md. 43, 13 Mr
- 240 \$10,000 additional appropriated for consolidation and arrangement of public statutes. Mass. 338, 23 My
- 241 Statutory revision commission abolished. '89 ch.289, '90 ch.313, '95 ch.1036 repealed. N. Y. 664, 25 Ap
- 242 Revised statutes in use in present legislature may be read in evidence. Amending R.S.'97 §5244. O. p.46, 21 Mr
- 243 **Uniform laws.** Extending '96 ch.264 providing for appointment of commissioners to promote uniform legislation. Md. 194, 5 Ap
- 244 Governor to appoint successors of commissioners for promoting uniform legislation, appointed under provisions of '96 ch.225. N. J. 162, 23 Mr
- 245 Renewing for two years uniform legislation commission. Va. 904, 6 Mr
- 246 **Publication of laws.** (See also Public documents and printing, 247) Any person may publish extracts from laws [formerly short extracts on legal blanks]. Amending '98 ch.1. Ia. 1, 10 F

**Public documents and printing**

(See also State libraries, 146; Supreme court reports, 636)

- 247 **General.** Amending Code '97 §125 as to printing, number of copies and binding of reports of state officers. Ia. 4, 7 Ap
- 248 State officers except those under board of control to report biennially to executive council; printing and distribution. Repealing Code '97 §163. Ia. 6, 1 My
- 249 Amending Code as to contracts for state printing, binding, and stationery. Miss. 63, 12 Mr
- 250 State executive documents to be bound in volumes of about 1000 pages each with contents stamped on back; house and senate journals to have word "Ohio" stamped on back. O. p.160, 14 Ap
- 251 **Manuals.** Secretary of state to prepare and publish annually a state manual; 1500 copies. Md. 240, 5 Ap



## Labor

(See also Exemptions, 526; Mechanics' liens, 544; Railroads, 1261; Street railways, 1303; Mines, 1434)

### Statistics. Bureaus

- 252 Creating office of commissioner of statistics of labor; appointed by governor; term four years; annual report; salary \$1500; may examine witnesses under oath. La. 79, 9 J1
- 253 Of report on labor statistics 6000 copies shall be printed annually; statistics of manufactures 5000; latter may be electrotyped and issued in parts. Mass. 225, 12 Ap
- 254 Creating deputy chief of bureau of statistics of labor and industries and abolishing secretary of bureau. N. J. 75, 22 Mr

### Employer and employee

- 255 Misdemeanor to counterfeit cards or receipts of associations of railway employees or letters of recommendation from employers. Ga. p.79, 20 D 99
- 256 Contracts. **Illegal conditions.** Unlawful for employer of labor on public work to make it a condition of employment that laborer shall board or trade with any particular person. Mass. 469, 17 J1
- 257 **Employers' liability.** To recover compensation under employers' liability act notice must be given employer within 60 [formerly 30] days of accident; executor may give such notice within 60 [formerly 30] days of his appointment. Amending '87 ch.270 §3 as amended by '88 ch.155. Mass. 446, 10 J1
- 258 **Payment.** Corporation to pay employees monthly; violation entitles employee to preferred lien on corporation's property. Cal. '97 ch.170. Unconstitutional. Class legislation. Johnson v. Good-year mining co. 59 P. 304.
- 259 Unlawful to pay wages in scrip, token, order or credit other than lawful money of United States or bank checks. Kan. '97 ch.145. Unconstitutional. Denies equal protection of laws. State v. Haun, 59 P. 340.
- 260 Extending to mechanics, workmen and laborers in employ of state, provisions of law ('94 ch.508 §51) requiring weekly payment of wages. Mass. 470, 17 J1

### Protection. Factory laws

- 261 **Inspection. Health and safety.** (See also Tenements, 1346; Fire escapes, 1286) Machinery in factories and workshops to be guarded; inspector to order and enforce necessary changes. O. p.42, 20 Mr

- 262 Hours.** Eight hours a days work except in emergency in mines, smelters and reduction works. Col. '99 ch.103. *Unconstitutional.* Class legislation. In re Morgan, 58 P. 1071.
- 263** Law relative to hours of labor for city and town employees shall on petition, be submitted to voters for acceptance. Amending '99 ch.344 §3. **Mass.** 357, 31 My
- 264** Hours of labor for employees of county jails and houses of correction not to exceed 60 per week. **Mass.** 425, 29 Je
- 265** Eight hour law does not apply to engineers, electricians and elevators in department of public buildings during session of legislature. Amending '97 ch.415 §3. **N. Y.** 298, 6 Ap
- 266** Pharmacists and drug clerks in cities of 1,000,000 shall not work more than 70 hours a week; may work six hours overtime for shorter succeeding week; hours to be consecutive, one hour for each meal, and full holiday every two weeks. **N. Y.** 453, 14 Ap
- 267** Eight hours a day's labor for state and local employees; and for workmen on all public contracts. **O.** p.357, 16 Ap
- 268 Women and children.** (*See also* Compulsory education, 119) Seats to be maintained for female employees; at least 30 minutes for lunch. **La.** 55, 5 Jl
- 269** Minors under 18 and women not to labor in mercantile establishments more than 58 [formerly 60] hours per week *except in retail shops during December.* Amending '94 ch.508 §10. **Mass.** 378, 13 Je
- 270** Requiring seats for waitresses in hotels and restaurants. Amending '97 ch.415 §17. **N. Y.** 533, 19 Ap

## Corporations

(*See also* Taxation of corporations, 442; Insurance, 1199; Transportation, 1251; Light, Water, 938, etc.)

- 271 General.** Submitting constitutional amendment prohibiting creation of corporations by special acts, except a university or ship canal. *Adopted November 1900.* **Fla.** j. r. 2, 99
- 272** Prescribing manner of renewal of corporations; fee \$25 and \$1 additional on each \$1000 of authorized stock in excess of \$10,000 but fee not to exceed \$2000. Amending Code '97 §1618. **Ia.** 56, 15 Mr
- 273** Sugar mills, refineries, saw mills, rice mills, cotton oil mills and irrigating plants may borrow money and issue bonds. Amending '94 ch.93. **La.** 100, 10 Jl
- 274** Answer or any other pleadings of a corporation need not be under the corporate seal. **Md.** 73, 20 Mr
- 275** Corporations not organized in two years from granting of charter to forfeit charter unless they pay  $\frac{1}{8}\%$  on amount of capital stock required before beginning business. **Md.** 272, 5 Ap

## SUMMARY OF LEGISLATION, 1900

- 276 In a vacancy in position of commissioner of corporations or his absence first clerk shall perform duties of commissioner and legal process served on clerk shall have full force.  
Mass. 261, 25 Ap
- 277 Requiring foreign corporations except insurance companies to file copy of charter.  
Miss. 45, 9 Mr
- 278 Amending '96 ch.185 §43 relating to time and contents of annual report of corporations to secretary of state; failure to report.  
N. J. 124, 23 Mr
- 279 Controller to report to governor by *first Monday in January* [formerly May 1] all corporations that have failed to pay taxes for two years. Amending '96 ch.187 §2.  
N. J. 130, 23 Mr
- 280 Providing for cumulative voting in electing officers of corporations issuing shares of capital stock.  
N. J. 172, 23 Mr
- 281 Stock-book of corporations and *books of account of banks* presumptive evidence for plaintiff of facts therein stated in action against corporation, officers or stockholders. Amending '90 ch.564 §29.  
N. Y. 128, 14 Mr
- 282 When stock of other than bank, insurance, turnpike, plank-road or bridge corporation is owned by another corporation entitled to take surrender and merger, existence may be extended during term of possessor by filing certificate thereof. Amending '92 ch.687 §32.  
N. Y. 177, 22 Mr
- 283 Joint stock insurance companies to have capital of \$100,000 *paid up before doing business; live stock companies to have 25% of capital stock paid up.* Amending R.S.'97 §3634.  
O. p.301, 16 Ap
- 284 Manufacturing corporations may increase or reduce capital stock only on three fourths vote of whole capital stock; all shares to have equal voting rights. Amending G.L.'96 ch.180 §4.  
R. I. 715, 8 F
- 285 Organization of corporations issuing stock in monthly series. Amending '96 ch.45 §4.  
S. C. 216, 13 F
- 286 Foreign corporations. Foreign corporations before doing business in state shall file copy of charter *certified by secretary of state in state or country where such company is incorporated.* Amending '84 ch.330 §3.  
Mass. 280, 2 My
- Dissolution. Insolvency**
- 287 Dissolution. Corporations not to be dissolved till all state taxes have been paid.  
N. J. 126, 23 Mr
- 288 On voluntary dissolution of corporation after paying debts, directors may sell assets to similar corporation, taking stock thereof in payment and distribute same among stockholders. Amending '92 ch.688 §57.  
N. Y. 760, 4 My
- 289 Insolvency. Receivers. District courts may appoint receivers for defunct corporations.  
La. 26, 2 Jl

## Corporations

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### NEW YORK STATE LIBRARY

- 290 Amending R.S.'97 §3260, relative to enforcement of liabilities of officers and stockholders of corporations. O. p.359, 16 Ap
- 291 Resident creditors of foreign corporations preferred over non-resident mortgagee whose mortgage is unrecorded when their debts are created. Tenn. '71 ch.31 §5. *Unconstitutional*. Deprives non-resident creditor of equal privileges and immunities. *Sully v. American national bank*, 20 [U. S.] S. Ct. 935.

### Corporations not for profit

(See also Private educational institutions, 136; Fraternal societies, 1228; Agricultural associations, 1463; Exemptions from taxation, 359)

**Membership corporations generally.** (Including religious, educational, social, scientific, benevolent, etc.)

- 292 Chancellor may appoint receiver when trustees of religious, charitable or educational corporation apply for dissolution. N. J. 166, 23 Mr
- 293 Associations not for profit to have not less than *three* [formerly five] trustees. Amending '98 ch.181 §1. N. J. 167, 23 Mr
- 294 President or treasurer of unincorporated association of seven or more may bring action against a member to enforce any lawful claim. Amending C.C.P. §1919. N. Y. 184, 22 Mr
- 295 When number of directors of membership corporations is not less than 21 *majority* [formerly two-thirds] may buy, sell, mortgage or lease real property; permission of court requisite for more than *five* [formerly three] year lease. Amending '95 ch.559 §13. N. Y. 208, 23 Mr
- 296 Regulating the incorporation of associations of more than 5000 members. Amending '95 ch.559 art.2. N. Y. 681, 25 Ap
- 297 Property of certain secret and benevolent societies exempt from taxation. Amending R.S.'97 §2732 subdiv.3. O. p.371, 16 Ap
- 298 Club-house corporations not operating during winter season to hold annual elections third Monday in July. Amending R.S.'97 §3246. O. p.374, 16 Ap
- 299 Incorporation of religious, educational and other associations not for profit; charter may be amended by secretary of state on majority vote of members. S. C. 219, 19 F

### Religious corporations

- 300 Lands bequeathed to religious societies without power to sell may be sold on approval of state chancellor. N. J. 71, 21 Mr
- 301 Trustees of incorporated protestant episcopal church not to apply to court for leave to sell or mortgage without consent of bishop and diocesan committee. Amending '95 ch.723 art.1 §11. N. Y. 521, 19 Ap

## SUMMARY OF LEGISLATION, 1900

- 302 Regulating the incorporation and dissolution of young men's Christian associations. Amending '95 ch.559. N. Y. 541, 19 Ap
- 303 Proposing constitutional amendment authorizing the chartering of missionary societies by the legislature. *As the legislature failed to provide for the submission of the proposed amendment, no action on it has been taken.* W. Va. j.r. 19, 25 F 99

## Banking and loan institutions

(See also Taxation, 357)

**Banks—general.** (Including all provisions relating to banks of deposit or relating to them jointly with following classes)

- 304 Creating seven commissioners for revision of laws relating to state banks, savings banks, fidelity and trust companies and building and loan associations; report to assembly. Md. 454, 7 Ap
- 305 Annual meeting for election of bank directors second Tuesday in January or within 10 days thereafter; banks may change qualifications of directors to those prescribed by banking law. Amending '92 ch.689 §50. N. Y. 89, 7 Mr; 240, 29 Mr
- 306 Boards of directors of banking institutions in agreements for merger may provide that corporation have name of one merged; may name 13 to 24 directors, or provide for their election by stockholders; creditor's rights unimpaired by merger. Amending '95 ch.382. N. Y. 199, 23 Mr
- 307 Only corporations formed under banking or insurance law may have word *trust, banking, assurance, guaranty, savings, investment, or loan* as part of name. Amending '92 ch.687 §6. N. Y. 704, 30 Ap
- 308 Regulating reincorporation of foreign moneyed corporations. N. Y. 733, 2 My
- 309 **Inspection. Reports.** Banks making imperfect quarterly returns may be closed by state examiner during investigation of their affairs. Amending '98 ch.198 §4. La. 149, 12 Jl
- 310 **Reserve. Surplus.** Defining the word surplus in section limiting loans by banks. Amending Code '95 §1916; '98, p.48. Ga. p.30, 20 D 99
- 311 Banks to create and maintain surplus fund equal to 25% of capital stock; unlawful to withdraw from capital or surplus. La. 65, 6 Jl
- 312 8% of the 25% reserve required of banks to be kept at all times on their premises in cash; other three fourths to be in lawful money of United States, bills of exchange or discounted paper money maturing in 12 [formerly six] months, *bonds of United States, of Louisiana, of New Orleans, or of levee districts in Louisiana*; duty of state examiner of banks in cases of non-compliance. Amending '98 ch.165. La. 116, 11 Jl

- 313 **Bank notes.** State banks may issue notes for circulation. Amending Code '87 §3830. Va. 761, 5 Mr
- 314 **Revision of '94 ch.850** providing for state banks of circulation; bank to receive from state treasurer notes of \$5 and upwards; circulation not to exceed capital stock; reserve fund equal to 25% of circulation to be kept in gold, silver, or United States notes. Va. 768, 5 Mr
- 315 **Dissolution.** Providing for the voluntary dissolution of banks. Amending '92 ch.689. N. Y. 567, 20 Ap

**Savings banks**

- 316 **Dividends of savings banks** to be paid only out of *undivided profits* [formerly surplus] on hand. Amending Code '97 §1852. Ia. 67, 8 Ap
- 317 **Cooperative bank** may do business only in city named in charter. Mass. 249, 20 Ap
- 318 **Deposits.** Savings banks may receive on deposit 10 times aggregate amount of their paid-up capital *and surplus*; may require 60 days' notice of withdrawal of *savings* deposits. Amending Code '97 §1848. Ia. 67, 8 Ap
- 319 **Investments.** Purchase and sale of real estate by cooperative banks amended (P.S. ch.117 §19). Mass. 214, 11 Ap
- 320 **Savings bank deposits** may be invested in *first mortgage bonds* of certain railroads, or bonds *issued to retire all prior mortgage debt*. Amending '92 ch.689 §116 subdiv.6. N. Y. 42, 26 F
- 321 **Surplus.** Savings banks may set aside surplus fund; investment. Ia. 67, 8 Ap
- 322 **Cooperative banks** shall transfer unpaid interest, premiums or fines to the credit of their surplus account until such account equals 25% of all such items. Mass. 273, 27 Ap

**Trust, safe deposit and investment**

- 323 **State treasurer** to return to fidelity and deposit companies the excesses of their deposits above amount required by law. Ga. p.54, 21 D 99
- 324 **Loan and trust companies** may receive time deposits *subject to limitations prescribed for state banks*. Amending Code '97 §1889. Ia. 68, 6 Ap
- 325 **Safe deposit, trust and loan companies** may deposit as security first mortgage bonds of electric railways of state approved by board of public works. Md. 212, 5 Ap
- 326 **Trust companies** may deposit part of their reserve in approved trust companies. Mass. 257, 25 Ap
- 327 **Bond and investment companies** before doing business must deposit with state treasurer \$100,000; other conditions; annual report to state supervisor. O. p.147, 14 Ap

**Building-loan, savings association**

- 328 Amending Code '97 ch.13 t.9, relating to building and loan associations; forbidden stocks; expenses; fines; foreclosure of mortgage; voluntary liquidation, etc. Repealing '98 ch.48. Ia. 69, 1 My
- 329 Officers of mutual loan, homestead and building associations to be elected by ballot; every shareholder may vote. N. J. 86, 22 Mr
- 330 Amending R.S.'97 §3821d as to required paid up capital of savings and loan associations in certain cities. O. p.132, 12 Ap
- 331 **Inspection. Reports.** Homestead, building and loan associations to report semi-annually to state examiner of banks showing condition of their affairs; reports to be published in newspaper in parish. La. 115, 11 Jl

**Trusts, combinations, monopolies**

- 332 Revision of anti-trust law, defining trust; contracts void; corporations forfeit charter; corporation shall not buy competing corporation; pooling of bids for public work prohibited. Miss. 88, 12 Mr

**Finance****State finance**

(See also School finance, 83)

**State debt. Tax**

- 333 Authorizing seizure and destruction of counterfeit state bonds. Va. 77, 18 D 99
- 334 Providing for settlement with West Virginia of its proportion of original state debt. Va. 825, 6 Mr
- 335 **Redemption.** Money from sale of securities held by state to be used to buy state bonds. Amending Code '87 §420. Va. 568, 5 Mr
- 336 **Funding.** Authorizing commissioners of sinking fund to extend time for funding indebtedness to Dec. 31, 1900 [formerly 1898]. Amending '92 ch.325 §7, 17. Va. 240, 3 F
- 337 **State tax.** Tax of 16 2-3 [formerly 20] cents per \$100 to be levied annually on all real property situated in and on all property owned in state. Amending R.S.'95 art.5046. Tex. 3, 19 F

**Audit. Account**

- 338 Superintendent of public works not to have at one time more than \$50,000 [formerly \$30,000] to pay canal contractor. Amending '94 ch.338 art.8 §143. N. Y. 211, 23 Mr
- 339 **Appropriations.** Unexpended appropriation for state institutions not to be charged off by state treasurer without authority of state board of control. Amending Code '97 §123. Ia. 3, 6 Ap

- 340 **Funds.** Moneys *and fees* on account of public lands to be paid to commissioner of land office and paid over to state treasurer; 25% thereof to be repaid to commissioner of land office; cost of indexing records and deeds. Amending Code '88 art.54 §2, 11, 15 as amended by '04 ch.191. **Md.** 318, 5 Ap
- 341 Moneys received in payment of Spanish war expenses, and from sale of hospital ship Bay State to go to war loan sinking fund. **Mass.** 169, 21 Mr
- 342 Surplus fund from tax on liquors may be transferred to school fund or any other fund. Amending R.S.'97 §2834. **O.** p.60, 21 Mr
- 343 **Warrants. Payments.** Warrants on state treasurer to include statement of purpose for which issued. Amending Code '97 §89, subdiv.8. **Ia.** 2, 4 Ap
- 344 Checks given by state treasurer and not paid in two years to revert to state. **Mass.** 117, 1 Mr
- 345 **Claims.** Auditor and land commissioner may settle claims for taxes erroneously paid, correct errors in descriptions, cancel patents where state had no title, and refund overpayments. **Miss.** 76, 10 Mr
- 346 **Examination.** Governor shall biennially examine all state offices and report to general assembly. **Md.** 111, 27 Mr
- 347 Salary of third deputy in office of state controller of county accounts fixed at \$1200. **Mass.** 137, 9 Mr
- 348 Joint committee of legislature to begin examination of accounts of state treasurer, controller general and commissioners of sinking fund as soon as practicable after end of each quarter year. **S. C.** 227, 13 F
- 349 **State institutions.** Regulating mode of paying appropriations to institutions receiving state aid. **Md.** 239, 5 Ap
- 350 Regulating mode of paying appropriations to state institutions. **S. C.** 201, 19 F

#### Public lands. School lands

(See also Mining, 1434)

- 351 **Sale. Lease.** Where title to land has failed patentee may receive from state return of purchase money, fees, and interest, *and if land has yielded no profits, taxes and interest also.* Amending Code '92 §2588. **Miss.** 65, 4 Ja
- 352 Governor may sell land conveyed to state in satisfaction of mortgage. **N. J.** 54, 20 Mr
- 353 State lands on canal banks may be leased for any purpose except steam railroad. Amending R.S.'97 §218 subdiv.225, 226, 228, 230. **O.** p.345, 16 Ap



- 354 Auditor shall recommend *reasonable* compensation [formerly not exceeding 5% on land sales] for agents appointed to sell state land. Amending Code '87 §709. Va. 823, 6 Mr
- 355 **Miscellaneous regulations.** State treasurer to pay swamp land indemnity money direct to county authorities [formerly to agent]. Amending '62 ch.160 §9. Ia. 146, 6 Ap
- 356 Municipal taxes against state lands canceled. N. J. 186, 23, Mr

### Taxation—general<sup>1</sup>

(Relating chiefly to general property taxes. *See also* Road taxes, 1000)

#### General regulations

- 357 **Special tax commissions.** Creating commission to examine tax laws and report to general assembly. Md. 290, 5 Ap
- 358 **Miscellaneous provisions.** Amending '94 ch.95 relating to assessment and collection of taxes on property of non-residents of counties; penalty for non-compliance \$50 [formerly \$100]. Ky. 10, 17 Mr

#### Exemptions from general property tax

- 359 Submitting amendment to art.13 of constitution exempting from taxation property used exclusively for worship. *Vote November 1900. See p. 588.* Cal. j. r. 16, 17 F 90
- 360 Submitting constitutional amendment exempting California school of mechanical arts from taxation. *Vote November 1900. See p. 588.* Cal. j. r. 30, 11 Mr 90
- 361 Submitting constitutional amendment exempting from taxation all state and local government bonds. *Vote November 1900. See p. 588.* Cal. j. r. 34, 17 Mr 90
- 362 Mills, buildings and other property used in manufacture of sugar to be exempt till Jan. 1, 1910. Ia. 40, 6 Ap
- 363 Aged and disabled confederate soldiers residing in state exempt from certain taxes *on affidavit of age and disability*. Amending '98 ch.5 §98. Miss. 41, 21 F
- 364 Five years exemption for new enterprises established before 1910. Miss. 48, 6 Mr
- 365 Libraries free to children of a public school exempt. Miss. 50, 12 Mr
- 366 Property of religious and benevolent societies exempt. Miss. 50, 12 Mr
- 367 Public libraries and buildings used for free public schools exempt. Miss. 52, 3 Mr
- 368 Mutual assessment insurance companies exempt. Miss. 53, 9 Mr
- 369 Property of armory associations exempt. N. J. 68, 21 Mr

<sup>1</sup>Under local finance are placed only those tax laws which in the *strictest* manner belong there, as limitations of rates, etc. State and local taxes are usually collected together by local authorities; hence a separation would be confusing.

- 370 Referring to next legislature constitutional amendment providing that legislature shall not pass local or private bill granting exemption from taxation. *Not repassed by legislature of 1900.*  
N. Y. p.1605, 26 Ap 99
- 371 Requiring annual publication of lists of real property exempt in cities.  
N. Y. 689, 25 Ap
- 372 Books and furniture of county law libraries exempt. Amending R.S.'97 §2678. . . .  
O. p.237, 16 Ap
- 373 Property of certain secret and benevolent societies exempt. Amending R.S.'97 §2732 subdiv.3.  
O. p.371, 16 Ap
- 374 Submitting constitutional amendment authorizing legislature to exempt from taxation \$300 in personal property for each head of family. *Adopted November 1900.*  
Wash. 74, 13 Mr 99

**Assessment**

- 375 **Assessors.** Town council to elect town assessor; term one year. Amending Code '97 §602.  
Ia. 16, 4 Ap
- 376 In town with incorporated village of 10,000, assessors have from April 15 to July 1 to ascertain taxable property and persons. Amending '96 ch.908 §20.  
N. Y. 512, 19 Ap
- 377 District assessors to receive \$2 per day *after allowance by county commissioners in Hamilton county \$5 per day.* Amending R.S.'97 §2795.  
O. p.60, 22 Mr
- 378 **Miscellaneous regulations.** Auditor may assess and list omitted property for taxation; to notify owner; appeal. Amending Code '97 §1385.  
Ia. 47, 6 Ap
- 379 Persons having custody of distilled spirits to report to tax commissioner for valuation of same. Md. '92 ch.704. *Unconstitutional.* No appeal from valuation fixed by commissioner; takes property without due process of law. *Monticello distilling co. v. City of Baltimore*, 45 A. 210.
- 380 County auditor to add to tax-list valuation of taxable property omitted in previous five years; exception.  
O. p.62, 22 Mr
- 381 Taxes for 1901 and every fifth year thereafter to be extended on basis of assessments of year preceding. Amending Code '87 §447.  
Va. 395, 17 F
- 382 **Lists. Rolls.** Justices of peace to receive three cents per name for making lists of taxpayers. Amending Code '95 §4082 subdiv.11.  
Ga. p.35, 19 D 99
- 383 **Personal property.** County supervisors may contract with any person who shall give \$3000 bond to assist in discovering property withheld from taxation.  
Ia. 50, 7 Ap
- 384 Providing for taxation of judgments for money and excepting those on certain foreclosures, work, labor, and building material furnished. Kan. '97 ch.243. *Unconstitutional.* Tax not uniform and equal. *Hamilton v. Wilson* 59 P. 1069.

- 385 Prescribing form of personal assessment rolls. Amending '94 ch.32. Miss. 49, 12 Mr
- 386 Taxing moneys on deposit in court of chancery, in fiduciary capacity. N. J. '87 ch.130. *Unconstitutional*. Special legislation applying to single court. Chancellor of state of New Jersey v. Van Hovenberg, 45 A. 439.
- 387 Defining "resident" as used in law for taxation of personal property. O. p.162, 14 Ap
- 388 In listing personal property every credit for a sum certain shall be valued at *its true value in money* [formerly full amount of sum payable]. Amending R.S.'97 §2739. O. p.205, 14 Ap
- 389 Assessor to value credits for money payable at face value. O. R.S.'97 §2739. *Unconstitutional*. Violates clause requiring property to be taxed according to true value in money. McCurdy v. Prugh, 55 N. E. 154.
- 390 Moneys, merchandise, and credits of merchants used in business are capital subject to taxation; debts to be deducted. Amending Code '87 §833 subdiv.2. Va. 697, 2 Mr
- 391 Amending '90 ch.244 as to taxation of ground rents; deduction of indebtedness from assessed valuation, and duties of assessor. Va. 906, 6 Mr
- 392 **Mortgages.** Submitting constitutional amendment: mortgages, contracts, etc., by which debts are secured to be deemed an interest in the property and taxed to holder and value of property less value of security to owner; contracts to make debtor pay tax void. *Adopted November 1900.* Mo. p.383 99

#### Equalization and adjustment

- 393 Local boards. Services of councilmen as members of board of review to be paid out of county treasury. Amending Code '97 §669. Ia. 17, 6 Ap
- 394 On application of board of chosen freeholders judge of court of common pleas shall appoint board of equalization of three members to supersede county board of assessors. N. J. 74, 22 Mr
- 395 Amending R.S.'97 §2813, 2814 as to duties of decennial county board of equalization; repealing provision that board shall give owner 10 days' notice before increasing value. O. p.246, 16 Ap
- 396 County auditor to appoint necessary clerks and messengers to county board of equalization at \$3 per day; board not to equalize property, money and credits in cities. Amending R.S.'97 §2804. O. p.319, 16 Ap
- 397 County board of equalization to meet third Monday in *July* [formerly August] and *adjourn by first Monday in October*. Amending R.S.'97 §2813. O. p.336, 16 Ap
- 398 County auditor to keep permanent record of every abatement of taxes granted. S. C. 175, 17 F

- 399 State boards. Hearing to be granted distillers as to valuation of distilled spirits by tax commissioner; appeal. Amending '92 ch.704 §3. Md. 320, 5 Ap
- 400 Salary of state tax commissioners \$5000 [formerly \$2500]. Commission may employ secretary at not exceeding \$3500 [formerly \$2000], *six agents, experts, and assistants*. Amending '96 ch.908 §170 and §171 subdiv.6. N. Y. 94, 8 Mr
- 401 Members state board of equalization to receive \$5 per day and 12 cents per mile for traveling expenses; organization of board; salaries of clerks. O. p.124, 12 Ap
- 402 State board of equalization to meet first Tuesday of December and adjourn by first Monday in May. Amending R.S.'97 §2818. O. p.336, 16 Ap

## Collection

- 403 Officers levying for taxes to make prompt settlement with the tax collector. Amending Code '95 §906. Ga. p.26, 21 D 99
- 404 Taxes adjudged illegal may be reassessed. Ia. 49, 6 Ap
- 405 Removing time limit for making affidavit of service of notice by tax collector. Amending '91 ch.425 §2. Mass. 290, 4 My
- 406 Common councils may fix discount for prompt payment of taxes. N. J. 60, 20 Mr
- 407 Amending '98 ch. 446 §4, relative to powers of sinking fund commissioners to investigate shortages in tax collections. S. C. 198, 19 F

## Delinquent taxes. Tax sales

- 408 General and miscellaneous. Supreme judicial court or superior court shall have equity powers in taking of real estate for taxes. Amending '88 ch.390 §76. Mass. 177, 28 Mr
- 409 Tax on property in hands of executor to be first lien on assets in hand. Amending '99 ch.67 §5. N. J. 106, 23 Mr
- 410 Costs for searching to ascertain owners and lienors of lands to be added to amount of taxes assessed by commissioners of adjustment; other provisions. N. J. 146, 23 Mr
- 411 Court to apportion tax among joint owners on partition; payment of tax apportioned to any owner exempts that part of estate from tax penalty. Va. 698, 2 Mr
- 412 Notice of sale. Lists. Amending Code '97 §1389, relating to keeping record of delinquent taxes. Ia. 48, 7 Ap
- 413 Sale of lands for taxes to be advertised once each week for 60 days. N. J. 80, 22 Mr
- 414 County treasurer *may* [formerly shall] publish list of delinquent tax lands; payment of expense. Amending Code '87 §637. Va. 696, 2 Mr
- 415 County and corporation courts to strike from list of delinquent tax lands those erroneously entered. Va. 774, 5 Mr

- 416 Lists of delinquent tax lands returned by treasurer to be in *such form as auditor directs* [formerly names to be in alphabetic order]. Amending Code '87 §606. Va. 1158, 7 Mr
- 417 Tax sales. Amending '88 ch.390 §40 relating to sale of real estate for taxes. Mass. 376, 8 Je
- 418 Amending R.S.'97 §2904 relating to notice and sale of lands forfeited for taxes. O. p.362, 16 Ap
- 419 Defining duties of sheriffs in tax executions. S. C. 174, 19 F
- 420 Standing timber sold for taxes, buyer may have 12 months to cut and remove; treasurer may sell property distrained for taxes *on premises or in vicinity thereof* [formerly at door of courthouse]. Amending Code '87 §622. Va. 309, 9 F
- 421 Chancery courts may confirm sale of delinquent tax lands when price is not equal to taxes thereon. Va. 379, 15 F
- 422 Contest of sale. Title conveyed by tax deed shall be defeated when notice of sale was not given, or redemption prevented by fraud of purchaser. Amending Code '87 §661. Va. 1132, 7 Mr
- 423 State tax lands. Regulating private sale by auditor of delinquent tax lands sold to state. Amending Code '87 §666. Va. 794, 5 Mr
- 424 Redemption. Cities and towns may fix interest on delinquent taxes at not over 6% [formerly 7%]. Amending P.S.11 §67. Mass. 168, 21 Mr
- 425 Corporations to pay 6% interest on overdue taxes. Mass. 398, 25 Je
- 426 Six months before taking possession buyer must notify last grantee and mortgagee who may redeem at twice price buyer paid. Failure bars contest of sale. Mich. '97 ch.220. *Unconstitutional*. Act broader than title. Citizens savings bank v. Auditor general 82 N. W. 214.
- 427 Taxes on lands forfeited to state may be computed on basis of new appraisal. O. p.116, 10 Ap
- 428 Interest on delinquent taxes on lands redeemed 6% [formerly 10%] from day of sale. Amending Code '87 §664. Va. 475, 21 F
- 429 When lands sold for taxes are redeemed by payment to clerk of court where sold, such fact shall be indorsed on delinquent land book. Amending Code '87 §651. Va. 953, 7 Mr
- 430 Clerk to enter record of redemption of delinquent tax lands on land book. Va. 1144, 7 Mr

### Special forms of taxation

(See also Road taxes, 1000; Liquor licenses, 24; Peddlers, 1414)

- 431 Poll taxes. Tax collectors shall publish annually names of persons failing to pay poll taxes. Miss. 47, 10 Mr
- 432 Special assistants may be appointed to collect poll tax; fees. R. I. 738, 24 Ap

- 433 **Inheritance taxes.** Amending Code '97 ch.4 t.7; '98 ch.37, relative to assessment and collection of collateral inheritance tax. Ia. 51, 7 Ap
- 434 Foreign executor liable for payment of tax on legacy; banks not to transfer same till tax is paid. Mass. 371, 7 Je
- 435 **Inheritance tax** of 5% on descent of personal property over \$5000 to collateral, and 1% above \$10,000 to direct heirs. Minn. '97 ch.293. *Unconstitutional.* Does not provide equality of taxation; excludes real property; larger exemption to lineal than collateral heirs; tax not levied on persons and corporations exempted by law. *Drew v. Tift*, 81 N. W. 839.
- 436 General exemptions do not apply to taxable transfers. Tax erroneously paid may be refunded within two years. Amending '96 ch.908 §225. N. Y. 382, 11 Ap
- 437 Exempting from inheritance tax property transmitted to state or municipality for public purposes. Amending R.S.'97 §2731 subdiv.1. O. p.101, 6 Ap
- 438 Tax on probate of wills limited to property in state during life time of decedent. Amending '90 ch.244 §12. Va. 517, 26 F
- 439 **Incorporation fees and taxes.** (*See also* Corporations, 271) Fixing corporation fees. Miss. 45, 9 Mr
- 440 When charter granted by courts is ratified by general assembly, additional fee to be paid. Va. 172, 23 Ja
- 441 Regulating incorporation fees. Amending '90 ch.54. Va. 814, 6 Mr
- 442 **Corporation taxes—general.** *Shares of stock* [formerly franchises] of incorporated bank, trust, guarantee or security companies and franchises of quasi-public corporations to be taxed in cities of first, second and third classes. Amending '98 ch.38. Ky. 29, 23 Mr
- 443 Manner of assessing special franchises and dates for filing assessments. Amending '99 ch.712 §2. N. Y. 254, 29 Mr
- 444 Foreign cooperative or investment companies or those working on service dividend plan not required to file statement of property with secretary of state. Amending R.S.'97 §148c. O. p.225, 14 Ap
- 445 Stockholders of foreign corporations not required to list shares for taxation if shares are taxed in name of corporation. Amending R.S.'97 §148c. O. p.225, 14 Ap
- 446 Requiring corporations to file list of stockholders with the auditor for purposes of taxation. Va. 708, 3 Mr
- 447 **Banking institutions.** Providing for tax on stock of building and loan associations and exempting from other taxes except business license. Ga. '96 p.27. *Unconstitutional.* Taxation shall be uniform and ad valorem. *Georgia state building and loan association of Savannah v. City of Savannah*, 35 S. E. 67.

- 448** National bank stock to be taxed in district where bank is; bank to list shares and be liable for payment of taxes thereon.  
Ky. 23, 21 Mr
- 449** Branch banks to be taxed in counties where located, amount of capital assessed to be deducted from assessment of main bank.  
Miss. 44, 28 F
- 450** National bank stock to be assessed where holder resides; where bank is located, if holder is non-resident of state; lien on stock.  
N. J. 107, 23 Mr
- 451** Tax of 5% [formerly 1½%] on earnings of money employed in state by foreign banker. Amending '96 ch.908 §188. N. Y. 500, 18 Ap
- 452** All shares of stockholders in unincorporated bank to be listed at their true value for taxation. Amending R.S.'97 §2759, 2762, 2765.  
O. p.347, 16 Ap
- 453** Insurance companies. Repealing provision (Code '97 §1333) that gross receipts tax on foreign insurance companies shall be in full for all taxes except taxes on real estate and special assessments. Domestic companies (for profit) to be assessed at principal office on value of shares or personal property; amending deductions from state tax of 1% on gross receipts of domestic companies (Code '97 §1333).  
Ia. 43, 30 Mr
- 454** Providing for taxation of contracts of insurance with companies not authorized to do business in state. Kan. '99 ch.249. *Unconstitutional*. Taxes not uniform. In re Page, 58 P. 478.
- 455** Generally amending insurance laws; state insurance bureau created; governor made commissioner and may appoint deputy; powers; incorporation and regulation of companies. Neb. '99 ch.47. *Unconstitutional*. Fees required of companies in lieu of taxes are not imposed according to valuation as constitution requires. State v. Poynter, 81 N. W. 431.
- 456** Insurance companies to pay tax of 2% on gross premiums and assessments received on property and on lives of individuals. Amending G.L.'96 ch.29 §5.  
R. I. 791, 13 Je
- 457** Transportation and communication corporations. Statement of railroad companies for purposes of taxation to show *average daily sleeping car and dining car service*. Amending Code '97 1340.  
Ia. 44, 21 Mr
- 458** State executive council to determine value of property and franchise in state of telegraph and telephone companies; state and local taxes to be assessed on this valuation by the local authorities the same as other property; owners of capital stock exempt. [Formerly state council deducted amount locally assessed and assessed remainder at average rate.]  
Ia. 42, 7 Ap

- 459 State executive council shall determine the value of property of express companies in state except property not used exclusively in conduct of business; valuation to be based on aggregate value of shares plus mortgage indebtedness. County auditor to add property not used exclusively in conduct of business and the whole to be taxable for the same purposes and by the same officers as the property of individuals. Owners of shares exempt. [Formerly tangible property assessed same as property of individuals and state tax of 2% on gross receipts imposed.] Repealing Code '97 §1345, 1346; '98 ch.31. La. 45, 7 Ap
- 460 State board of appraisers to meet *second* [formerly first] Monday in April; president of board may call meeting at any time; salary of secretary \$500 [formerly \$250]. Amending '98 ch.106. La. 122, 11 Jl
- 461 Amending Code '92 §3880 so as to require state railroad assessors to distinguish property in separate school districts. Miss. 77, 6 Mr
- 462 Taxation of persons and corporations using highways, streets and public places, except railroad and canal companies. Property to be assessed locally and taxed at local rates as formerly. Tax of 2% on gross receipts to be apportioned annually by state board of assessors to taxing districts in proportion to value of property therein on streets, highways and public places. N. J. 195, 23 Mr
- 463 Corporation commission shall assess railroads same as private property. [Formerly value to be ascertained from comparison of earnings and expenses, value of franchise and other conditions.] Amending '99 ch.15 §45. N. C. 10, 14 Je
- 464 Submitting constitutional amendment providing for assessment by state board of equalization of franchises and property of all companies carrying persons, property or messages. *Adopted November 1900.* N. D. p.261, 99
- 465 Railroad property not assessed at proper time to be assessed by railroad board of assessors in extra session. S. C. 199, 19 F
- 466 Increasing tax on telegraph, telephone and express companies. Amending '90 ch.244 §23, 25. Va. 499, 24 F
- 467 **Business taxes.** Decreasing annual tax on oil corporations from \$10 to \$5 on each \$1000 of sales. Amending '98 ch.127 §7. La. 19, 28 Je
- 468 License tax of \$125 on wholesale dealers in pistols; pistol cartridges \$50; retail dealers \$50 and \$25 respectively. La. 83, 9 Jl
- 469 Amending '98 ch.171 §10, 12, 14, 28 relating to annual business license tax. La. 103, 10 Jl; 131, 11 Jl
- 470 License tax to be paid by secret or fraternal societies not organized solely for benevolent and charitable purposes. La. 155, 12 Jl
- 471 Amending '98 ch.5 in relation to business taxes. Miss. 42, 8 Mr



- 472 Taxing canning factories, steam laundries, money lenders, oil depots, round bale presses, and land timber mills. *Miss.* 43, 9 Mr
- 473 Providing for collection of tax of \$1 on seals by sale of stamp to be attached to instruments requiring seal. Amending '90 ch.244 §16. *Va.* 165, 25 Ja
- 474 Photographer or photograph artist's agent to pay tax of \$10 [formerly \$20]. Amending '90 ch.244. *Va.* 508, 24 F
- 475 Corporation in mercantile business and paying license is exempt from state tax when amount of license equals tax thereon; dealers in fresh meats must have license to peddle. Amending '90 ch.244 §28. *Va.* 796, 5 Mr
- 476 Keeper of feed stable in towns under 2000 to pay tax of \$5; elsewhere \$10. Amending '90 ch.244 §106. *Va.* 968, 7 Mr
- 477 Regulating granting of annual license to physicians and surgeons by commissioner of the revenue. *Va.* 1023, 7 Mr
- 478 Amending '98 ch.301 relative taxation of watercraft. *Va.* 1136, 7 Mr

Local finance<sup>1</sup>

- 479 Taxes. Levying tax on all property in county for fire protection; railroad property not protected. *Kan.* '95 ch.283. *Unconstitutional*. Denies equal protection of law. *Atchison, T. & S. F. ry. co. v. Clark*, 58 P. 477.
- 480 Submitting constitutional amendment to ratify the special tax for public improvements voted by New Orleans June 6, 1890. *Adopted November 1900.* *La.* 4, 18 Ag 90
- 481 Cities and towns may levy taxes on persons or property for debts to be paid within one year. *Va.* 820, 6 Mr
- 482 Debts. Bonds. Sinking fund of cities of 15,000 to be deposited in banks at not less than 3% [formerly 4%] interest. Amending Code '97 §742. *Ia.* 24, 4 Ap
- 483 No county or other political or municipal corporation to become indebted to an amount exceeding 1¼% on value of its property. Repealing Code '97 §1306. *Ia.* 41, 6 Ap
- 484 Municipalities, parishes and drainage districts may vote to issue bonds for public improvements; not to exceed 40 years at 5% nor 7 valuation of property. *La.* 114, 11 Jl
- 485 County bonds issued by board of supervisors may be paid after five years provided so stated on face. Amending Code '92 §311. *Miss.* 125, 16 F

<sup>1</sup>Only the purely financial matters are here placed. Authorization of taxes, assessments, bonds etc. for special municipal purposes—schools, libraries, lights, streets etc. are classified under these heads. They are however also *indexed* under Taxes etc. Miscellaneous provisions as to assessment and collection of taxes in local bodies are under Taxation, as such provisions usually apply to all classes of taxes. Provisions relating to election, term of office, etc. of financial officials are under Local government, but those relating solely to their financial duties are placed here. See particularly Special assessments, School finances.

- 486 96% [formerly 90%] of town bonds due may be renewed for 30 [formerly 20] years at 5% [formerly 6%]. Amending '97 ch.125.  
N. J. 2, 21 F
- 487 County boards may borrow money to meet deficit arising from erroneous or illegal apportionment of taxes. N. J. 12, 5 Mr
- 488 Cities may renew and refund bonds; payable 40 years; use of moneys in sinking fund. N. J. 37, 15 Mr
- 489 To replace funds lost by bank failure cities may issue 20 year 5% bonds. N. J. 77, 22 Mr
- 490 Borough council may issue bonds for *buying property*; aggregate of bonds issued not to exceed 15% [formerly 10%] of assessed valuation. Amending '97 ch.161 §39. N. J. 82, 22 Mr
- 491 Village may borrow money to pay judgment exceeding \$1000 on vote of electors. Amending '97 ch.414 §128. N. Y. 373, 11 Ap
- 492 Cities of 5000 to 10,000 may issue bonds not exceeding 25 years at 6% to pay floating indebtedness. O. p.302, 16 Ap
- 493 Submitting constitutional amendment limiting county, municipal and school district debt to 5% of valuation. *Rejected June 1900.*  
Or. p.143, 18 F 99
- 494 Submitting constitutional amendment; limitation as to bonded indebtedness not to apply to Columbia, Rockhill, Charleston and Florence, if bonds are applied solely to water and sewerage; nor to Georgetown, if bonds are applied solely to water, sewerage and light. *Adopted November 1900 but must be ratified by legislature of 1901.* S. C. 340, 19 F
- 495 Submitting constitutional amendment permitting counties to refund indebtedness outstanding Jan. 1, 1899 though created in excess of constitutional limitation. *Rejected November 1900.*  
Wy. p.176, 16 F 99
- 496 Miscellaneous-Audit. Account etc. Township clerk to receive, collect and disburse all township funds. Amending Code '97 §576. Ia. 15, 29 Mr
- 497 Resolution of borough councils directing payment of bills passed by two thirds vote over mayor's veto shall be warrant to collector to pay. Amending '97 ch.161 §17. N. J. 163, 23 Mr
- 498 Unexpended balance of dog tax may by vote of *town board* [formerly electors] be appropriated to highway or contingent fund. Amending '92 ch.686 §114. N. Y. 560, 20 Ap
- 499 Fines to be paid into town treasury for municipal purposes; no action to be brought to recover fines heretofore collected. N. C. '99 ch.128. *Unconstitutional.* Constitution requires fine money to be paid to school fund. Board of education of Vance co. v. Town of Henderson, 36 S. E. 158.

- 500 County commissioners to make annual report of financial transactions *itemized as to amount and purpose*. Amending R.S.'97 §917.  
O. p.400, 16 Ap
- 501 County and corporation courts may suspend county and city treasurers failing to pay over moneys due from them, and appoint person to act as treasurer till settlement is made. Va. 1140, 7 Mr

## Property and contract rights

(For all laws relating to actions at law concerning such rights, see Civil procedure, 688)

### Possession and transfer

(Provisions relate chiefly to real property. See also Aliens, 179)

- 502 Ownership. Boundaries. Misdemeanor to produce unpublished or undedicated dramatic or musical composition without consent of owner. La. 75, 9 Jl
- 503 Two members of township committee or of city street committee may divide partition fence between land owners. Amending G.S.'94 p.1461 §4. N. J. 26, 13 Mr
- Acquisition. Conveyances. (See also Mortgages, 530; Property of married women, 514)
- 504 Owners of property may create by deed an estate therein for themselves or others; trustees, powers and duties.  
Ga. p.57, 20 D 99
- 505 Amending '98 ch.232 respecting conveyances; registry may still be made under provisions of R.S.'74 p.472. N. J. 16, 6 Mr
- 506 Recording officers. Hours for recording papers in registries of deeds to be fixed by justices of superior court and posted.  
Mass. 327, 18 My
- 507 Record of conveyance. Prescribing manner of recording deeds, mortgages and leases; records to be transmitted annually to commissioner of land office. Md. 427, 7 Ap
- 508 Possession of estate without notice of other evidence of title is not notice of ownership to buyer for valuable consideration. Amending Code '87 §2465. Va. 89, 15 Ja
- 509 Fees on transfers of property to be delivered to commissioner of revenue on his return of land books to clerk; clerk may deduct 10% [formerly 5%] commission. Amending Code '87 §525.  
Va. 139, 24 Ja
- 510 Clerks of county or municipal corporation to record lists of conveyances; certified copy of record to have same force as original deed. Va. 462, 21 F
- 511 Effect as evidence of deeds conveying property sold under deed, deed of trust or mortgage. Amending '98 ch.293. Va. 1145, 7 Mr

**Property and contract rights**

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- 512 **Torrens system.** Recorder and assistant recorders of the court of registration subjected to supervision of controller of county accounts. Amending '87 ch.483 §1. **Mass.** 116, 1 Mr
- 513 Generally amending method of registering and confirming land titles ('98 ch.562). **Mass.** 354, 25 My

**Family property. Property rights of married women.** (*See also* Support, 5; Dower and courtesy, 574)

- 514 Married woman may contract with her husband or with any other person. **Md.** 633, 10 Ap
- 515 Lease of lands between husband and wife invalid against third person unless recorded. Amending Code '92 §2294. **Miss.** 90, 12 Mr
- 516 Married woman's contingent right of dower in estate in which husband has no interest is her separate estate. **Va.** 266, 3 F
- 517 Married women may make wills. [Formerly could make wills for disposition of their separate estate or in exercise of power of appointment.] Amending Code '87 §2513. **Va.** 723, 3 Ap
- 518 Exempting married women from disability in regard to leases. Amending Code '87 §2615. **Va.** 737, 3 Mr
- 519 Married woman must exhibit bill of review within one year after decree. Amending Code '87 §3435. **Va.** 738, 3 Mr
- 520 Defining remedies for and against married women's estate. Amending Code '87 §2298. **Va.** 585, 5 Mr
- 521 Increasing property rights of married women. Amending Code '87 ch.103. **Va.** 1139, 7 Mr

**Eminent domain—general grants.** (*See also* Condemnation proceedings, 769, and special purposes for which property may be taken.)

- 522 United States may buy land for military purposes; may institute proceedings for condemnation. **Md.** 67, 13 Mr
- 523 Authorizing corporations and individuals to exercise eminent domain in construction of tramways, pole-roads and canals for private transportation. **Miss.** 68, 12 Mr
- 524 Regulating condemnation of property for public use; previous acts repealed. **N. J.** 52, 20 Mr; 53, 20 Mr

**Homesteads. Exemptions**

- 525 **Homesteads.** Homestead within city or town *plat* not to exceed one half acre in extent. Amending Code '97 §2978. **Ia.** 119, 6 Ap
- 526 **Exemptions.** Landlord's lien on crops for rent and supplies to be superior to year's support to family. **Ga.** p.47, 20 D 99
- 527 Wages not exceeding \$10 exempt from attachment, *provided writ shows demand to be for necessities furnished*; otherwise not over \$20 [formerly \$10] exempt. Amending P.S.183 §30. **Mass.** 191, 3 Ap
- 528 Money or aid from insurance corporation *heretofore or hereafter* paid exempt from execution. Amending '92 ch.690 §238. **N. Y.** 641, 24 Ap

- 529** Salary or wages not exceeding \$10 exempt from attachment [formerly except when cause of action is for necessities furnished defendant]. Amending G.L.'96 ch.255 §5. **R. I.** 751, 4 My

### Liens. Incumbrances

- 530** **Mortgages—general.** Mortgage to secure bonds may cover after-acquired property. Amending Code '95 §2723. **Ga.** p.82, 19 D 99
- 531** Lien of mortgages on crops given to secure payment for supplies, money and other articles of necessity, to be superior to older judgments. **Ga.** p.78, 21 D 99
- 532** Providing for transfer of liens on rent notes, mortgage notes and other such evidences of indebtedness. **Ga.** p.90 22 N 99
- 533** Repealing '98 ch.501 relating to additional oath to be taken in assignment of mortgages. **Md.** 81, 20 Mr
- 534** When lands or *chattels real* are sold and mortgaged to secure payment of purchase money, such mortgage to be preferred to any previous judgment or decree for payment of money; *proviso.* Amending Code '88 art.66 §4. **Md.** 393, 7 Ap
- 535** Clerk of court may permit mortgage to be withdrawn when it is filed for recording partial release. Amending Code '88 art.21 §37. **Md.** 542, 7 Ap
- 536** Method of canceling mortgages given to defunct corporation. **N. J.** 35, 15 Mr
- 537** Mortgage debt on real estate of testator or intestate has priority of claim when estate is sold. **N. J.** 116, 23 Mr
- 538** Mortgagee may pay delinquent tax on all the property of mortgagor and add it to mortgage debt. Amending R.S.'93 §334. **S. C.** 197, 13 F
- 539** Creditor may file affidavit of discharge of debt secured by mortgage or other lien with clerk where incumbrance is recorded; release of deed of trust may be to original grantor whether living or dead. Amending '98 ch.569. **Va.** 74, 17 Ja
- 540** Lien creditor or his agent may file affidavit with clerk in whose office incumbrance is recorded to effect that debt is paid; court to order entry thereof made on margin of record; clerks fee 25c [formerly 50c]. Amending Code '87 §2498. **Va.** 782, 5 Mr
- 541** **Pledge.** Bill of sale to personal property to secure a debt not exceeding \$100 may be foreclosed in same manner as mortgages on personal property. **Ga.** p.82, 16 D 99
- 542** Amending C.C.'70 art.3158-61 relative to privilege against third persons, pledging written obligations, acts in favor of banks and completion of pledge. **La.** 157, 12 J1

## Property and contract rights

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- 543 Conditional sales. Property retaken by vendor under contract of conditioned sale must be sold within 30 days after time of redemption expires or vendee may recover amount paid thereon. Amending '97 ch.418 §116. N. Y. 762, 4 My

### Mechanics' and other liens

- 544 Liens for materials and labor on improvements of real estate to attach *unless owner shows that lien has been waived* [formerly on notice to owner]; liens not to exceed *contract price of improvement* [formerly balance owed at time of notice]. Amending Code '95 §2801. Ga. p.33, 19 D 99
- 545 Creditor's claim for materials and work on boats to be redelivered after being recorded by clerk of court. Amending Code '88 art.63 §45. Md. 28, 1 Mr
- 546 Mechanics' lien for *removal* of a building. Amending P.S. ch.191 §1. Mass. 256, 25 Ap
- 547 Owners of stallions, jacks or bulls to have lien for service. Neb. '87 ch.3. *Unconstitutional*. Title changed after passing legislature and before presentation to governor. Weis v. Ashley, 81 N. W. 318.
- 548 Hotel and lodging-house keepers. Innkeeper given lien on property of guests for charges. O. p.16, 20 F

### Contracts and other obligations

- 549 Suits charging promise to be answerable for debt of another not to require proof of consideration in writing. Md. 362, 7 Ap
- 550 Typewriting to be as binding as writing, except in signatures; writing includes typewriting. Md. 598, 7 Ap
- 551 Loans. Contracts for building loans with *or without* sale of land to be in writing, duly acknowledged, and filed in county clerk's office. Amending '97 ch.418 §21. N. Y. 78, Mr 6
- 552 Negotiable instruments. Action may be maintained on past-due lost note if plaintiff executes indemnifying bond to protect maker in case note is afterward found in hands of innocent holder. Va. 97, 22 Ja
- 553 Interest. Usury. Loans on chattel mortgages not to bear more than lawful rate of interest; regulations against extortion. Md. 404, 10 Ap
- 554 Banks, *private* and individual bankers not to take more than 6% under penalty of forfeiting interest. Amending '92 ch.689 §55. N. Y. 310 6 Ap
- 555 Landlord and tenant. Rents reserved by leases or sub-leases of land for more than 15 years to be redeemable after five years at option of tenant. Md. 207, 5 Ap

- 556 Crops on mortgaged land to remain property of debtor; lien on crops for rental; distraint for rental. Md. 457, 7 Ap
- 557 Laborer, or renter, making second contract before expiration of first and without notice, guilty of misdemeanor. Miss. 101, 12 Mr
- 558 Person enticing away laborers or renters shall, in addition to fine, be liable to landlord for advances and *all* [formerly double] damages caused thereby. Amending Code '92 §1068. Miss. 102, 12 Mr
- 559 Trusts, general. (*See also* Guardianship, 600; Executors, administrators, 585) Premiums paid for bonds required of fiduciaries may be charged among expenses of administration. La. 76, 9 Jl
- 560 Fiduciary fraudulently appropriating thing of value to be imprisoned one to five years. Md. 22, 1 Mr
- 561 Amending Code '88 art.16 §205 relating to bond to be filed by trustee of any estate. Md. 114, 27 Mr
- 562 Fiduciary may include sum paid guaranty company for surety as part of expense of trust. Miss. 93, 28 F
- 563 Misdemeanor for executor, administrator, *assignee*, trustee or guardian to withhold or convert trust funds. Amending '98 ch.235 §177. N. J. 118, 23 Mr
- 564 Property bought by trustee at foreclosure sale to be assets of trust estate in his hands. N. J. 152, 23 Mr
- 565 Suretyship. (*See also* Surety companies, 1248) Surety of county surveyor may apply to county commissioners to be discharged. Amending R.S.'97 §5837. O. p.402, 16 Ap
- 566 Partnership. Conducting business under assumed name prohibited unless certificate of real names of parties filed with county clerk; corporations and partnerships under the real name of one of the partners not affected. N. Y. 216, 23 Mr
- 567 Partners to be liable for only their own acts after notice of dissolution of partnership. S. C. 195, 13 F

### Insolvency. Assignments

(*See also* Corporations, 271; Partnerships, 566)

- 568 General. Courts of insolvency to have concurrent jurisdiction with probate court and court of common pleas in certain matters. O. p.353, 16 Ap
- 569 Family homestead exempt from execution may, on consent of husband and wife, be sold in case of assignment for benefit of creditors. Amending R.S.'97 §5435. O. p.372, 16 Ap
- 570 Fraudulent transfers. Regulations to prevent fraud in selling stock of merchandise in bulk; notice to creditors. Md. 579, 10 Ap

## Estates of decedents and wards

### Descents. Devises

(See also Inheritance tax, 483)

- 571 Providing for settlement of successions of less than \$500.  
La. 153, 12 J1
- 572 Revision of laws concerning distribution of estates and rights of surviving widows and husbands.  
Mass. 450, 10 J1
- 573 Order of descent. Grandchildren may inherit parents' share in descent of property exempt from execution. Amending Code '92 §1551.  
Miss. 89, 10 Mr
- 574 Dower and curtesy. Dower of wife or husband in real estate may be relinquished by power of attorney executed jointly or separately. Amending Code '88 art.45 as amended by '98 ch.457 §12.  
Md. 186, 5 Ap

### Probate procedure. Administration

(See also Trusts, 559)

#### Courts. Procedure generally

- 575 Courts. Revision of laws respecting prerogative court and power and authority of ordinary. The ordinary shall grant probates of wills and letters of administration and of guardianship and shall hold the prerogative court for the determination of disputes coming before him either directly or by appeal from any surrogate or orphans' court; appeal to court of errors and appeals.  
N. J. 148, 23 Mr
- 576 Clerk of surrogate court may take acknowledgements and certify thereto with same effect as county judge. Amending '84 ch.309 §1.  
N. Y. 510, 18 Ap
- 577 Amending R.S. §533 subdiv.1-3, as to arrangement and preservation of pleadings and papers in probate courts. O. p.68, 22 Mr
- 578 Miscellaneous procedure. Registers of probate may print and sell indexes to the records.  
Mass. 180, 28 Mr
- 579 Empowering chancellors to act in vacation concerning probate matters.  
Miss. 92, 10 Mr
- 580 Appeal from order or judgment of appellate division of supreme court affirming decree of surrogate or granting letters of administration does not stay issue of such letters when preservation of estate requires them. Amending C.C.P. §2582.  
N. Y. 191, 22 Mr
- 581 Repealing C.C.P. §2536 allowing surrogates citation for person out of state to be published gratuitously where decedent's estate does not exceed \$2000.  
N. Y. 572, 20 Ap



- 582 Commissioners in chancery may adjourn proceedings before them to another county. Va. 15, 11 Ja
- 583 Judge having jurisdiction of probate matters *shall* [formerly may] appoint assistant commissioner of accounts. Amending '90 ch.58 §1. Va. 567, 5 Mr

**Probate of wills**

- 584 **Foreign wills.** Will proved in other states or countries may be recorded in county where property devised is situated. Amending C.C.P. §2703. N. Y. 633, 23 Ap

**Executors. Administrators**

- 585 **Granting administration.** *Clerk of district court* [formerly district attorney] to be appointed curator of succession so small that no one will accept curatorship. Amending C.C.'70 art.1190. La. 53, 5 Jl
- 586 Chancery court or clerk may on petition of interested party, appoint temporary administrator. Repealing Code '92 §1840 to 1845. Miss. 94, 10 Mr
- 587 **Claims and action against estate. Burial expenses.** In sale of real estate for debts of deceased, funeral expenses to be allowed in discretion of court and to have priority of claim. Amending Code '88 art.16 §188 as amended by '90 ch.320. Md. 390, 7 Ap
- 588 Court may determine amount to be expended for lot and monument from decedents estate. Amending P.S. ch.144 §6. Mass. 147, 16 Mr
- 589 "Creditor" includes persons having claim for administration or funeral expense. Amending C.C.P. §2514 subdiv.3. N. Y. 120, 14 Mr
- 590 Executors and administrators may provide for perpetual care of burial lots. R. I. 724, 9 F
- 591 **Sale or mortgage of property.** Amending Code '95 §3441 relating to notice to heirs at law in proceedings to make titles to real estate on bonds for titles. Ga. p.34, 11 N 99
- 592 Sale of real or leasehold estate made under authority of orphans' court or power in a will may be ratified at once. Md. 74, 20 Mr
- 593 Court may direct sale of any part of personal estate of decedent. Md. 605, 10 Ap
- 594 Reports of sales or leases may be confirmed by chancellor on publication when interested parties are non-residents. Amending Code '92 §607. Miss. 95, 21 F
- 595 **Distribution. Settlement etc.** (*See also Actions for partition, 768*) Funds due an heir *whose residence is unknown to administrator* may on order of court be deposited with clerk of district court. Amending Code '97 §370. Ia. 13, 3 Ap

- 596 Clerk of district court to make statements in January and June to board of supervisors of funds deposited by administrators and to deposit same with county treasurer *six months* [formerly one year] from date of deposit. Amending Code '97 §371. **Ia. 14, 24 F**
- 597 Amending C.C.'70 art.343 relative to method of swearing in appraisers in adjudicating common property of parent and minor.  
**La. 50, 5 JI**
- 598 Rights of lienors to be protected in partition and sale of lands in chancery courts. Amending Code '88 art.16 §116. **Md. 205, 5 Ap**
- 599 Administrators to apply to court for direction as to disposition of securities in settlements where there are children. **N.J. 176, 23 Mr**

## Guardianship

(See also Trusts, 559)

- 600 Appointment. Bonds. Judge of probate court may appoint temporary guardian. Repealing P.S. ch.131 §6; '97 ch.135.  
**Mass. 345, 25 My**
- 601 Trust company may be guardian of infant [formerly whose income from estate exceeds \$100]. Amending '92 ch.689 §157.  
**N. Y. 552, 20 Ap**
- 602 When legacy payable to infant surrogate may direct it paid to guardian without requiring additional bond. Amending C.C.P. §2746. **N. Y. 554, 20 Ap**
- 603 In settlement of estates courts may order money not exceeding \$25 to be paid to minor without appointment of guardian. **S. C. 194, 9 F**
- 604 Sale, mortgage and lease of property. Regulating transfer of redeemable ground rents owned by infants. **Md. 570, 7 Ap**
- 605 Court or chancellor in vacation may sell personal property of decedents on petition of executor. Amending Code '92 §1884.  
**Miss. 98, 21 F**
- 606 Guardians with approval of chancery court may renew incumbances. **Miss. 91, 12 Mr**
- 607 Foreign guardians. Issuance of letters of guardianship to non-resident guardians of non-resident wards amended (P.S. ch.139 §20). **Mass. 232, 13 Ap**

## Administration of justice

## Practice of law

(See also Prosecuting attorneys, 630-83)

- 608 Admission to bar. Submitting constitutional amendment authorizing legislature to prescribe qualifications for admission to the bar. *Received a majority vote in November 1900, but not a majority of total vote cast for governor and validity of adoption is questioned.*  
**Ind. 259, 22 F 99**

- 609 Non-resident attorney to file appointment of some attorney resident in county on whom service may be had before being permitted to practice. Amending Code '97 §316. Ia. 12, 3 Ap
- 610 Amending Code '97 t.3 ch.10 relative to practice of law. Applicant must have *three* [formerly two] years of study in law office or law school *and have acquired a general education equivalent to a three year high school course*. Board of law examiners created consisting of attorney general and four persons appointed by supreme court. Examination fee \$5. Ia. 11, 16 Ap
- 611 Misdemeanor to practice law before admittance to bar.  
Md. 699, 10 Ap
- 612 Repealing '82 ch.19 permitting applicants for admission as attorneys to take examination on certification of unusual aptitude by five counselors of five years practice. N. J. 39, 16 Mr
- 613 Certificate of registration as attorney shall be issued by clerk of court of appeals to persons filing required oath. Amending '98 ch.165 §5.  
N. Y. 133, 15 Mr  
Repealed. N. Y. 558, 20 Ap
- 614 Attorneys of other states must pass examination and pay license fee, except such as have practiced three years before a state supreme court who may be admitted by supreme court on payment of fee; but non-resident attorney may attend occasional cases if associated with resident attorney. Amending Code '87 §3192. Va. 408, 20 F
- 615 **Miscellaneous.** Misdemeanor for attorneys to visit jails to solicit clientage of prisoners. Md. 13, 26 F
- 616 Attorneys may examine *as soon as received all papers filed for record*. Amending '98 ch.166. Md. 26, 1 Mr
- 617 Disbarment of attorneys by a circuit court shall extend to disbarment from all orphans' courts. Md. 309, 7 Ap
- 618 Suspended or removed attorney desiring modification of the decree to file motion. Amending R.S.'97 §563; '94 p.63. O. p.389, 16 Ap
- 619 Amending Code '87 §3195-96 in regard to disbarring attorneys; failure to turn over money entrusted to him within reasonable time constitutes malpractice for which attorney may be disbarred.  
Va. 954, 7 Mr

### Courts

(Procedure even though peculiar to special courts is given according to its subject matter in civil and criminal procedure. The names and general organizations of courts vary greatly in different states. Courts are here grouped according to actual jurisdiction. The precise names of the courts are preserved in entries and subordinate headings.)

- 620 **General.** (Provisions applying to two or more kinds of courts) Submitting constitutional amendment reorganizing state courts. *Four* [formerly six] associate justices of supreme court; three district courts of appeal created; publication of decisions. *Vote November 1900. See p. 588.* Cal. j. r. 37, 18 Mr 99; j. r. 10, 10 F 00

- 621 Providing for election of judges of supreme, circuit and chancery courts in accordance with constitutional amendment changing from appointment to election. *Miss.* 80, 10 Mr
- 622 Submitting constitutional amendment; judges of supreme and district courts to be *elected* [formerly appointed by governor with consent of senate]; term of supreme court judges *eight* [formerly nine] years. *Rejected November 1899. See note p. 588.*  
*Miss.* 83, 29 Ja 98

Supreme courts.<sup>1</sup> Appellate courts

- 623 **Organization.** Submitting constitutional amendment fixing number of supreme court judges at not less than five nor more than 11 [formerly three to five]. *Received a majority vote in November 1900 but not a majority of total vote cast for governor and validity of adoption is questioned.* *Ind.* 260, 28 F 99
- 624 Submitting constitutional amendment; supreme court to consist of *seven* [formerly three] justices; not all cases to be heard by the whole court, but in that case concurrence of four justices necessary. *Adopted November 1900.* *Kan.* 314, 4 Mr 99
- 625 Supreme court may hear and decide in chambers either during term-time or at vacation; such decision to become final in six days. *La.* 15, 27 Je
- 626 Justice in supreme court may report case to be determined by full court. *Mass.* 311, 10 My
- 627 Salary of chief justice of supreme court to be \$8500 [formerly \$7500]; associate justices, \$8000 [formerly \$7000].  
*Mass.* 385, 20 Je
- 628 Submitting constitutional amendment providing that district judges may be called on to act in a cause in place of such supreme court justices as are disqualified to act. *Adopted November 1900.*  
*Mon.* p.152, 7 Mr 99
- 629 Revision of laws relative to court of errors and appeals.  
*N. J.* 147, 23 Mr
- 630 Salary of judges of supreme court and supreme court commission \$5000 [formerly \$4000] each. Amending R.S.'97 §1284.  
*O.* p.115, 10 Ap
- 631 Transmittal of commissions to judges of supreme court; oath of office. Amending R.S.'97 §555. *O.* p.156, 14 Ap
- 632 Submitting constitutional amendment increasing judges of supreme court to *five* [formerly three]. *Rejected June 1900.*  
*Or.* p.143, 18 F 99

<sup>1</sup>Including only those highest in state and of whatever name—thus having "court of appeals" of New York but not its "supreme court." In New York, New Jersey and elsewhere the "supreme court" is a district court and is classed below. The court of appeals in New York, New Jersey, Kentucky and Maryland is the highest court, but in Colorado, Kansas, Missouri and Texas it is subordinate to the supreme court.

- 633 **Reporter.** State printer to contract with lawyer to edit and index decisions of supreme court at not exceeding \$1200 per year.  
La. 87, 9 J1
- 634 **Stenographer.** Judges of supreme court may appoint official stenographer or clerical assistant. Amending '98 ch. 54. Miss. 29, 12 Mr
- 635 **Salary of stenographer of supreme court not over \$1200** [formerly \$1000]. Amending R.S.'97 §443-2. O. p.47, 21 Mr
- 636 **Reports.** State librarian to republish 500 copies each of earlier Georgia reports together with Charlton's and Dudley's reports and Georgia decisions. Ga. p.83, 16 D 99
- 637 **Appellate courts.** District judges to be paid their expenses when serving as judges of courts of appeal. La. 21, 28 Je
- 638 **Sheriffs to receive \$5 per day for attendance on courts of appeal.**  
La. 25, 2 J1

## Circuit courts

- 639 Amending S.'94 §965 relative to time of circuit courts.  
Ky. 19, 20 Mr; 20, 20 Mr
- 640 Repealing '98 ch.407 providing that one half of fines and of recognizances forfeited to circuit courts shall be expended for court library; 18 counties excepted. Md. 23, 1 Mr
- 641 Revision of laws relative to supreme and circuit courts. 13p.  
N. J. 149, 23 Mr
- 642 Upon application of solicitor of a circuit, governor to appoint judge to hold special court; salary \$10 per day and expenses.  
S. C. 186, 13 F
- 643 **Officers.** Amending S.'94 §1761 relative to salary of commissioners and receivers appointed by circuit court in counties of 75,000; record of amount earned by them; annual report.  
Ky. 25, 21 Mr
- 644 Judge at special term of circuit court may appoint stenographer for special term. S. C. 187, 17 F

## Other intermediate courts

- 645 **Superior court.** Submitting constitutional amendment (§17, art.6) making *entire* [formerly half] salaries of judges of superior court payable by state and authorizing each judge to appoint a court stenographer. Vote November 1900. See p. 588. Cal. J.R. 36, 18 Mr 99
- 646 Amending Code '97 §256, 258, 276' relative to election of judges of superior court; term of office; appointees to vacancies to hold until next *general* [formerly annual city] election; question of abolishing superior court to be submitted at *any general* [formerly city] election. La. 9, 4 Ap
- 647 Justice in superior court may report case to be determined by full court. Mass. 311, 10 My

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- 648 Salary of chief justice of superior court, \$7000 [formerly \$6000], associate justices \$6500 [formerly \$5500]. Amending '92 ch.104, 328. Mass. 385, 20 Je
- 649 Supreme court. Revision of laws relative to supreme court. N. J. 149, 23 Mr
- 650 Justices of appellate division of supreme court may fix time and place for terms of court in each department and assign justices thereto *and may make additional appointments, designations, and alterations.* Amending C.C.P. §232. N. Y. 73, 2 Mr
- 651 *Presiding justice* of appellate division [formerly appellate division or governor] may designate justice to hold term of supreme court in absence of justice assigned thereto; *if designation from such department impracticable, governor to designate.* N. Y. 414, 12 Ap
- 652 Trial justice attending supreme court outside county of residence except in New York and Kings entitled to expenses. N. Y. 431, 13 Ap
- 653 Referring to next legislature constitutional amendment providing for election of three additional justices of supreme court in second judicial district. *Not repassed by legislature of 1900.* N. Y. p.1599, 5 Ap 99
- 654 Referring to next legislature constitutional amendment providing four additional elective justices of supreme court in first, and three in second judicial districts. N. Y. p.1645, 6 Ap
- 655 District courts. Amending '90 ch.28 relating to appointment and duties of short hand reporters in appealable civil causes before district courts. La. 64, 6 Jl
- 656 Cities of 150,000 [formerly 100,000] to have two district courts; cities of 17,000 to 150,000 [formerly 20,000 to 100,000] one district court; salary of judges of district courts in cities of 17,000 [formerly 20,000] to 30,000 to be \$2000; of clerks in cities of 17,000 [formerly 20,000] to 30,000, \$900. Amending '98 ch.228 §1, 6, 8. N. J. 110, 23 Mr
- 657 County courts. Common pleas. Judges in counties bordering on Atlantic ocean to receive additional salary, not exceeding sum fixed by law; in other counties salary to be in proportion to population. N. J. 19, 7 Mr
- 658 Revision of laws relating to court of common pleas. Judges appointed by governor for five years; salary \$1200 to \$7500 in lieu of all fees. Court of common pleas a court of record with general jurisdiction. N. J. 140, 23 Mr
- 659 Additional stenographer may be appointed by court of common pleas at \$4 per day. O. p.145, 13 Ap

**Justice of the peace. Magistrates**

- 660 Justices of the peace residing in militia districts consolidated or abolished are to discharge their duties till their term of office expires. Amending Code '95 §338. Ga. p.24, 14 D 99
- 661 Justices of peace in certain cases may employ sheriff or his deputy or appoint special deputy constable. Amending '88 ch.110. La. 164, 12 JI
- 662 Justices of peace to have civil jurisdiction in cases involving \$100 [formerly \$200]. Amending Code '88 art.52 §6. Md. 302, 5 Ap
- 663 Unlawful for justice of peace to issue summons for or take fee from person for whom he is agent. N. J. 188, 23 Mr
- 664 Amending '97 ch.297 as amended by '99 ch.11 relative to number and salary of magistrates in counties. S. C. 188, 19 F
- 665 Fourth class postmasters may act as justices of the peace. Amending Code '87 §164. Va. 350, 14 F

**Municipal and police courts** (Includes provisions relating to justices of the peace in municipalities)

- 666 City courts. Judges of city courts may preside in any city courts. Ga. p.48, 21 D 99
- 667 Police courts. Judges of police courts may appoint temporary clerks and prosecuting attorneys in case of absence or inability of regular officers. Amending R.S.'97 §1810, 1815. O. p.69, 22 Mr

**Court officers**

(For specific duties consult index)

- 668 Fees. Officers to receive four cents mileage for serving process and for transportation of prisoner or witness. N. J. 171, 23 Mr
- 669 Peace officers—general. Peace officers in discharge of duty may carry concealed weapons. Amending '97 ch.251. S. C. 251, 19 F
- 670 Constables. Constables residing in militia districts consolidated or abolished are to discharge their duties till their term of office expires. Amending Code '95 §338. Ga. p.24, 14 D 99
- 671 In police, district and municipal courts having only one constable justices may appoint constables pro tempore. Mass. 179, 28 Mr
- 672 Additional constables may be appointed by selectmen. Mass. 213, 11 Ap
- 673 Board of supervisors may cause election of additional constables. Amending Code '92 §767. Miss. 71, 19 F
- 674 Cities under 12,000 except seaside resorts may elect as many constables in each ward as will equal number of justices of peace to which such ward is entitled. N. J. 160, 23 Mr
- 675 Authorizing township trustees to designate and pay police constables. O. p.43, 20 Mr

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- 676 **Clerks of courts.** Clerks of courts may make entries and records with typewriter. Amending Code '88 art.17 §1. **Md.** 126, 27 Mr
- 677 **Justices of police, district and municipal courts shall fix and post office hours for court clerks.** **Mass.** 281, 2 My
- 678 **Clerk's office of every court to be kept open every day except Sunday.** Amending Code '87 §3179. **Va.** 278, 5 F
- 679 **Reporter.** Making phonographic reporter officer of court; judge may fix his salary. **Cal.** '85 ch.167. *Unconstitutional.* Gives judge legislative power to fix salary for future services. *Stevens v. Truman*, 59 P. 397.
- 680 **County attorney.** Salaries of county attorneys \$2500 in counties of 65,000 to 70,000; \$3000 in counties of 70,000 to 85,000. **N. J.** 15, 6 Mr
- 681 **State's attorney.** Submitting constitutional amendment; salary of state's attorney in each county \$3,000; in Baltimore city, \$4500 with deputy at \$3000 and other assistants at \$1500. *Vote November 1901.* **Md.** 185, 5 Ap
- 682 **County or corporation court may appoint special prosecuting attorney.** Amending '98 ch.880. **Va.** 81, 11 Ja
- 683 **Notaries public.** Seals of non-resident notaries are prima facie evidence that words thereon engraved conform to law. **Ia.** 118, 10 F
- 684 **Oaths may be taken before any commissioner of deeds.** Amending '80 ch.190 §1. **N. J.** 131, 23 Mr
- 685 **Coroners.** Misdemeanor to publish telegram, letter or private paper found with person dying suddenly or dangerously wounded except by written declaration of coroner. Amending Pen.C. §642. **N. Y.** 588, 23 Ap
- 686 **Counties may fix coroner's fees; their expenses shall be allowed by board of supervisors.** Amending '73 ch.833 §1. **N. Y.** 763, 4 My
- 687 **Justice of peace may act as coroner at certain times.** Amending R.S.'97 §620. **O.** p.39, 16 Mr

## Civil procedure—general

(Including such provisions as apply to both civil and criminal cases)

### Commencement of action

- 688 **Limitation.** Applying the statutes of limitation to municipal claims. **Ga.** p.60, 20 D 99
- 689 **Action to recover damages for malpractice to be begun within two years.** Amending C.C.P. §384 subdiv.1. **N. Y.** 117, 13 Mr
- 690 **Place of action.** Action may be brought against operators of coal mines in county where mine is located. **Ia.** 121, 10 F



- 691 Corporations may be sued either in county where their certificates are recorded or where they transact business. Amending Code '88 art.23 §296. **Mass.** 21, 1 Mr
- 692 Actions may be brought against non-resident having estate or debts due in county where such property is; if defendant has no property action may be brought in county where he may be found. Amending Code '87 §3214. **Va.** 329, 14 F
- 693 Complaint. Suits on causes of action which are saved from statute of limitation by part payment or written acknowledgment to be brought on original cause of action. **S. C.** 190, 9 F

**Summons. Process generally**

- 694 Summons. Amending Code '87 §2940 in relation to warrants for small claims and requiring justice to make copy. **Va.** 419, 20 F
- 695 Corporations. Process may be served on private corporation by leaving copy with register of deed. **Wis.** '97 ch.380. *Unconstitutional.* Takes property without due process of law. *Pinney v. Providence loan and investment co. et al.* 82 N. W. 308
- 696 Foreign. Non-residents. Courts have jurisdiction over defendants absent from state; method of citation and service. **La.** 23, 28 Je
- 697 Extending C.C.P. §2880 relative to service of process on domestic railroad corporations to similar foreign corporations. **N. Y.** 511, 18 Ap
- 698 Return of process. Return days in civil cases appealable to supreme court to be fixed by judges of district courts at 15 to 60 days from date of orders, except by consent. **La.** 92, 10 Ji

**Trial. Pleadings**

- 699 Change of venue. In civil cases brought in a superior court where defendant is nonresident of city case shall on motion by him be transferred to district court of county. Amending Code '97 §261. **Ia.** 10, 7 Ap
- 700 When justice of supreme court is member of appellate division where appeal from his decision is to be heard, appellant may have order directing appeal to be heard in adjoining department. Amending C.C.P. §231. **N. Y.** 209, 23 Mr
- 701 County from which venue is changed to pay costs and fees when corporation of more than 50 stockholders is party in a suit. Amending R.S.'97 §5033. **O.** p.378, 16 Ap
- 702 When judge is interested in action, plaintiff may bring suit in adjoining circuit. Amending Code '87 §3214. **Va.** 736, 3 Mr
- 703 Pleadings. Motions. Motions must be made to court, judge, or justice thereof; in default of appearance of defendant or by his consent, may be made to judge or justice out of court. Amending C.C.P. §768. **N. Y.** 147, 15 Mr

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- 704 Amending G.L.'96 ch.239 §16 relative to grounds for demurrer. R. I. 750, 4 My
- 705 Demurrers shall be in writing except in criminal cases. Amending Code '87 §3271. Va. 100, 22 Ja
- 705 Miscellaneous procedure. Repealing '94 ch.185 relating to special finding of facts. Md. 641, 10 Ap
- 707 Amending '90 ch.451 relating to proceedings before auditors. Mass. 418, 28 Je
- 708 *Courts in which a trial by jury is allowed* may on motion of either party direct such trial of any question of fact. Amending P.S.'82 ch.161 §113. Mass. 447, 10 Jl
- 709 Actions where testamentary trustee or trustee for infant or trustee in bankruptcy is sole plaintiff or defendant, and actions to determine validity of probate of will, and appeals in same, preferred actions. Amending C.C.P. §791 ¶5. N. Y. 144, 15 Mr
- 710 Amendment to pleading in case on calendar does not change the place of case. Amending C.C.P. §723. N. Y. 591, 23 Ap

Evidence. Witnesses

- 711 Revision of laws concerning evidence. 20 p. N. J. 150, 23 Mr; 151, 23 Mr
- 712 Regulating examination and impeachment of adverse witnesses. Amending Code '87 §3351. Va. 117, 24 Ja
- 713 Competency. Attorneys, physicians, or the stenographers or confidential clerks of any such person shall not disclose communications given in professional confidence. Amending Code '97 §4608. Ia. 125, 9 F
- 714 Books. Papers. Laws. Providing that proof of validity of ordinances in cities of fifth class shall not be required in courts. Cal. '83 ch.49 §765. Unconstitutional. Special laws concerning courts shall not be passed when general will apply. City of Tulare v. Hevren 58 P. 530.
- 715 Adverse judgment may be given if party fails to comply with courts order to produce copy of documents used as evidence. Amending Code '92 §927. Miss. '97, 10 Mr
- 716 Notice of 20 [formerly 10] days to be given of intention to produce recorded instruments other than wills. Amending '98 ch.463. S. C. 193, 19 F
- 717 Affidavits. Affidavits duly made in other states to be fully recognized. Ga. p.79, 20 D 99
- 718 Affidavit verifying a pleading may be made before any person authorized to administer oaths [formerly before whom a deposition might be taken]. Amending R.S.'97 §5107. O. p.33, 1 Mr

**Jury. Verdict.** (*See also* Criminal procedure—Grand jury, 794; Jury, 805)

- 719 Courts may summon grand or petit jurors to return after final discharge. Md. 62, 6 Mr
- 720 Jury commissioners. Members of board of roads and revenues and county commissioners ineligible as jury commissioners. Ga. p.78, 20 D 99
- 721 Drawing. Qualifications. Amending Code '95 v.3 §815 relating to frequency of revision of jury list. Ga. p.44, 20 D 99
- 722 Amending R.S.'93 §2375-76 relating to drawing and term of service of jurors in circuit courts; counties with city of over 40,000 excepted. S. C. 183, 19 F
- 723 Prescribing method of selecting jurors in counties having a city of over 40,000 inhabitants. Amending R.S.'93 §2376. S. C. 184, 19 F
- 724 Judges of county, *circuit*, and corporation courts to prepare list of persons qualified to serve as jurors. Amending Code '87 §3142. Va. 900, 6 Mr
- 725 Names of jurors to be written on slips of paper, folded, put in box and kept by clerk. Amending Code '87 §3144. Va. 916, 7 Mr
- 726 Providing extra jurors. Amending Code '87 §3147. Va. 1007, 7 Mr
- 727 Juror not required to serve more than 10 days at term; if jury reduced, clerk shall draw more jurors from names in box. Amending Code '87 §3152. Va. 1008, 7 Mr
- 728 Regulating drawing juries. Amending Code 87 §3146. Va. 1147, 7 Mr
- 729 Exempting. Railway postal clerks exempt from jury duty. Ga. p.69, 20 D 99
- 730 Verdicts. Submitting constitutional amendment; two thirds of jury in civil cases in courts not of record and three fourths of jury in civil cases in courts of record may render verdict. Adopted November 1900. Mo. p.381, 99

**Appeals. Review**

- 731 Prescribing necessary steps in appeals or exceptions at common law and in equity. Amending P.S. ch.150 §16. Mass. 372, 7 Je
- 732 Title of cause to be retained on removal to court of appellate jurisdiction; name of state in title; duty of clerks. N. J. 48, 19 Mr
- 733 New trial. Judges of courts to grant supersedeas in criminal cases on motion for new trial. Ga. p.77, 20 D 99
- 734 Cases remanded for new trial may be submitted to court of appeals for final judgment on facts set forth in record. Md. 367, 7 Ap
- 735 In appeals where judgment of lower court is contrary to weight of evidence, appellate court may order new trial. Amending C.C.P. §3064. N. Y. 553, 20 Ap

- 736 **Exceptions.** District trial judge to correct bill of exceptions, if wrong, or give written directions therefor. Amending R.S.'97 §5301. O. p.338, 16 Ap
- 737 Bill of exceptions, if not correct, to be corrected by trial judge or written minutes thereof furnished to counsel. Amending R.S.'97 §5302. O. p.397, 16 Ap
- 738 **Appeals—when allowed.** Justices of the peace to continue time for appeals in certain cases. Md. 11, 26 F
- 739 Appeal may be had from decision of county commissioners to circuit court within 60 days. Md. 494, 7 Ap
- 740 When decision of appellate division is unanimous, appeal shall not be taken in actions on individual bond on appeal unless question of law involved. Amending C.C.P. §191 subdv.2. N. Y. 592, 23 Ap

**Judgments. Executions. Judicial sales.** (See also Exemptions, 526; Foreclosure, 763)

- 741 **Obtaining judgments.** Order for judgment by judge out of court valid when notice of application not required. On defendants default, or by his consent, application for judgment may be to judge or justice out of court. Amending C.C.P. §1203, 1214. N. Y. 147, 15 Mr
- 742 **Lien of judgment.** Amending '88 ch.143 relating to time when judicial mortgages take effect. La. 60, 6 JI; 78, 9 JI
- 743 **Revival. Enforcement.** Judge may prescribe method of serving notice on judgment debtor who is non-resident or whose whereabouts is unknown. N. J. 79, 22 Mr
- 744 County courts may revive judgments of justices of the peace. Va. 352, 14 F
- 745 **Executions. Judicial sales.** Execution issued by county judge to be in the form issued by *clerks of superior courts* [formerly justices of the peace] *and be directed to sheriffs, deputies and county court bailiffs.* Amending Code '95 §4205. Ga. p.36, 8 D 90
- 746 When real estate is sold under execution in a county other than that in which judgment is rendered, officer shall make duplicate returns. Amending Code '97 §3958. Ia. 122, 29 Mr
- 747 Amending Code '97 §4027 relative to required notice before selling property under execution. Ia. 123, 10 F
- 748 Sale of lands made under order of court not invalidated by irregularity in advertisement. N. J. 125, 23 Mr
- 749 Amending C.C.P. §2461 in regard to executions against joint defendants. N. Y. 217, 23 Mr
- 750 When no levy is made on execution, officer to whom delivered shall have fee for making return. Va. 859, 6 Mr

- 751 **Redemption.** Redemptions of real estate sold under execution shall be made in county where sale is had. Amending Code '97 §4051. Ia. 124, 4 Ap

**Miscellaneous**

- 752 **Costs.** Defendant may have rule on plaintiff or plaintiffs to give security for payment of costs and charges; to apply only to non-residents. Amending Code '88 art.24 §9. Md. 382, 7 Ap
- 753 On final judgment court may award costs as seem just but not exceeding total amount authorized by statute. Amending O.C.P. §3230. N. Y. 181, 22 Mr
- 754 **Legal notices.** Minor amendment to Code '95 §5462 relating to publication of legal advertisements. Ga. p.40, 8 N 99
- 755 In acts concerning legal advertising, price fixed for "subsequent insertions" shall apply only to subsequent insertions in issues of consecutive weeks. N. J. 127, 23 Mr

**Civil procedure—special actions****Actions affecting property**

- 756 If court is satisfied by affidavit that county surveyor is not suitable person to lay out lands in dispute, substitute may be appointed. Amending Code '88 art.26 §10. Md. 581, 7 Ap
- 757 **Adverse possession. Ejectment.** Minor amendment to Code '88 art.75 §88 relating to writ of possession. Md. 310, 5 Ap
- 758 Outstanding mortgage not to prevent real owner as mortgagor from maintaining action of ejectment. Md. 559, 7 Ap
- 759 **Landlord and tenant.** Amending R.S.'70 §2155 relating to manner of ejecting tenants from leased property. La. 52, 5 Jl
- 760 Landlord may distrain for rent from married woman, if rent be in arrears [formerly for 90 days]. Amending Code '88 art.45 §17 as amended by '98 ch.457. Md. 135, 29 Mr
- 761 Court may declare rents and reversion released to owner of fee when no rent has been paid for twenty years on lands leased in perpetuity. N. Y. 227, 26 Mr
- 762 Goods and chattels may be seized as distress for rent within 10 [formerly five] days of their conveyance from demised premises. Amending '98 ch.488 §1. S. C. 233, 13 F
- 763 **Foreclosure. Redemption.** In foreclosures and in redemption of mortgaged property all just set-offs shall be allowed to same extent as in actions at law. N. J. 121, 23 Mr
- 764 Affidavits in foreclosure of mortgages by advertisement to be delivered to buyer at sale. N. Y. 223, 23 Mr
- 765 Notice of foreclosure must be served on mortgagor or his executor if any appointed. Amending C.O.P. §2388 subdiv.4. N. Y. 766, 4 My

- 766 Prescribing form of endorsement by clerk of court in foreclosure of land mortgages. S. C. 192, 19 F
- 767 Amending '94 ch.548 C.C.P. §352, relating to proof of debt before foreclosure of mortgage of real estate. S. C. 196, 19 F
- 768 Partition. Providing for allotment or sale when partition cannot be had and removing disabilities of married women in relation thereto. Amending Code, '87 §2564. Va. 811, 6 Mr
- 769 Condemnation proceedings. (See also Eminent domain, 522) Empowering superior court to determine all cases of damages for taking property by eminent domain, notwithstanding lack of previous application to county commissioners. Mass. 299, 4 My
- 770 Notice that United States desire to purchase land for public uses [formerly for light-house purposes] to be published in one newspaper in Columbia once each week for *six weeks* [formerly four months]. Amending R.S.'93 §7. S. C. 235, 17 F
- 771 Replevin. Original writs from any district court may be made returnable in any other district, *including writs of replevin*. Amending G.L.'96 ch.252 §8. R. I. 722, 9 F

## Personal injury and tort

- 772 Claim for damages against municipality to be presented to governing authority of municipality before bringing suit. Ga. p.74, 20 D 90
- 773 On application of officer in action against him for wrongful levy, court shall substitute his indemnitors. N. Y. C.C.P. §1421. *Unconstitutional*. Takes private property without due process of law. Levy. v. Dunn, 100 N. Y. 504.
- 774 Libel. Slander. Person libelled must, to recover damages, prove actual malice. Amending R.S.'97 §5094; '93, p.324. O. p.295, 16 Ap

## Attachment. (See also Executions, 745; Exemptions, 526)

- 775 Issue. Plaintiff may have attachment when defendant is a non-resident of state. Amending R.S.'97 §5521; '98, p.318. O. p.44, 20 Mr
- 776 Procedure. Court to which an attachment has been returned by the levying officer to hear evidence and pass on sufficiency of the bond. Amending Code '95 §4517. Ga. p.37, 11 N 99
- 777 Perishable property may be sold by order of court at request of plaintiff during sequestration or provisional seizure suit. La. 94, 10 J1
- 778 Oral testimony may be taken on motion to quash an attachment. Md. 139, 29 Mr
- 779 When claimant to property attached other than defendant files bond of double appraised value of property it shall be discharged from levy and surrendered to *him* [formerly party in possession thereof when attached]. Amending Code '88 art.9 §46. Md. 697, 10 Ap

- 780 Repealing P.S. '82 ch.191 §34 relating to rights of party who attaches between filing of two statements. **Mass.** 466, 16 JI
- 781 In attachment suits where indemnity bond has been given to officer, court *may* [formerly shall] substitute indemnitors as defendants. Amending C.C.P. §1421. **N. Y.** 115, 12 Mr
- 782 **Garnishment.** Garnishee may pay money in his hands into court, to be awarded to proper party. Amending Code '88 art.9 §14. **Md.** 138, 29 Mr
- 783 Forbidding citizen of state to garnishee wages of another citizen by the agency of foreign corporation or individual. **Mo.** R.S. 99 §2356. *Unconstitutional.* Violates U. S. Constitution which guarantees equal privileges to citizens of all states. In re Flukes, 57 S. W. 545.
- 784 Amending R.S.'97 §6501; '98, p.316 relating to proceedings as to garnishee. **O.** p.376, 16 Ap
- 785 Providing for garnishment of salaries of state employees. **Va.** 511, 24 F
- Special civil proceedings**
- 786 **Injunction.** Supreme court justice may grant injunction and allow service of summons accompanied by injunction order on Sunday. Amending C.C.P. §6. **N. Y.** 135, 15 Mr
- 787 Amending Code '87 §3436 relative to jurisdiction of injunctions. **Va.** 899, 6 Mr
- 788 **Certiorari.** Amending Code '95 §4653 relating to new trials in cases on certiorari. **Ga.** p.38, 19 D 99

### Criminal procedure

(See also numerous provisions of civil procedure)

#### Apprehension. Prosecution. Indictment

- 789 **Apprehension. Arrest.** Creating a commission to bring to justice the murderers of William Goebel; \$100,000 appropriated for expenses and rewards. **Ky.** 1, 7 Mr
- 790 **Bail.** Judgment on bond in criminal case may be set aside within five [formerly 10] days on trial, conviction, *acquittal or continuance.* Amending '98 ch.76. **La.** 17, 27 Je
- 791 Amending '98 ch.237 §112 relating to method of prosecuting recognizances. **N. J.** 120, 23 Mr
- 792 Committing magistrates to name amount of bail in commitment. **S. C.** 189, 17 F
- 793 **Prosecution on information.** Submitting constitutional amendment; criminal prosecution for felony and *misdemeanor* to be by indictment or information. *Adopted November 1900.* **Mo.** p.382, 99

- 794 **Grand jury.** Submitting constitutional amendment; no grand jury shall be convened except by order of judge, but when assembled shall have power to indict for all grades of crime. *Adopted November 1900.* Mo. p.383, 99
- 795 **Indictment.** When an indictment is found minutes and exhibits relating thereto to be returned and filed with clerk of court [formerly and attached to the indictment]. Amending Code '97 §5258. Ia. 134, 2 Ap
- 796 **Indictments for violation of city ordinances** need recite only the number of the ordinance violated. Md. 131, 29 Mr

**Criminal trials**

- 797 **General and miscellaneous.** Court or judge in vacation shall appoint counsel to defend prisoner charged with capital crime. Amending Code '92 §1408. Miss. 99, 31 Ja
- 798 **Procedure in prosecutions for violation of ordinances in municipalities** governed by board of commissioners. N. J. 31, 15 Mr
- 799 **Clerk of court of general sessions** to keep record of persons tried for crime and report annually to attorney general. S. C. 245, 17 F
- 800 **In indictments for trial in court of police justice or justice of the peace,** attorney for commonwealth may prosecute and receive fee of \$5 to be taxed with costs. Amending Code '87 §4106. Va. 781, 5 Mr
- 801 **In trials of felony,** courts may exclude persons whose presence is unnecessary. Va. 813, 6 Mr
- 802 **Repealing '92 ch.616** which required prisoner charged with capital crime in county court to elect, on motion for continuance, whether his trial should be in that or circuit court. Va. 967, 7 Mr
- 803 **Evidence. Witnesses.** Wife to be a competent witness against husband in case of indictment for seduction and marriage for purpose of suspending prosecution. Amending Code '95 v.3 §388. Ga. p.42, 20 D 99
- 804 **Defendant or his attorney of record** to be given notice of intention to introduce witness who was not examined before a committing magistrate or grand jury. Amending Code '97 §5373. Ia. 135, 17 F
- 805 **Jury. Verdict.** In trials for murder if act complained of is not proved to be cause of death, defendant may be convicted of assault. Such conviction no bar to subsequent prosecution for murder. Amending Crim. P. §444. N. Y. 625, 23 Ap
- 806 **Where more than two cases of felony** to be tried, *one* [formerly two] jury to be summoned. Amending Code '87 §4018. Va. 539, 26 F; 628, 5 Mr
- 807 **Appeals.** Appeals may be had from courts of mayors or recorders and city courts within three days from time of sentence. Ia. 27, 2 JI



- 808 **Executions.** Requesting state board of health and vital statistics to report to next assembly whether there is any mode of inflicting death penalty more humane than hanging; also on advisability of designating one place in state for executions. Va. 477, 21 F
- 809 **Fines. Costs.** Where prosecution for escaping from penitentiary fails, costs and fees to be paid by state. Ia. 128, 23 Mr
- 810 Person convicted of misdemeanor may go at large for definite time or until fine is paid; recognizance discharged on payment of fine; sentence in case of default. N. J. 144, 23 Mr
- 811 On affirmance of appeal involving fine from decision of mayor, alderman or police justice, defendant may be committed until payment thereof. Amending Code '87 §726. Va. 275, 5 F
- 812 Attorney's fee of \$10 to be paid by defendant in violations of laws for suppression of gaming, lotteries, unchartered banks and circulation of bank notes less than \$5. Amending Code '87 §3838. Va. 305, 9 F
- 813 Providing execution against defendant failing to pay fine imposed in mayor's or justices court; mayor may commit defendant till fine is paid. Amending Code '87 §717. Va. 509, 24 F
- 814 **Prisoners. Custody. Transportation.** (*See also* Penal Institutions—convicts, 1160) For transporting convict to penitentiary of another county sheriff to be paid by *collector of county in which person was sentenced* [formerly state treasurer]. Amending '98 ch.237 §66. N. J. 112, 23 Mr
- 815 Fixing punishment of persons allowing prisoners to escape. Amending Code '87 §3572, 3573. Va. 325, 14 F

### Crimes and punishments

(*See also* Order and decency, 37; also various special offences under subject)

- 816 **Homicide.** Amending Code '95 v.3 §65 defining manslaughter. Ga. p.41, 19 D 90
- 817 **Seduction. Adultery.** Prosecution for seduction may be stopped at any time *before arraignment and pleading*. Amending Code '95 v.3, §388. Ga. p.43, 20 D 90
- 818 Amending Crim.C.'73 §208 relating to adultery. Neb. '75 ch.11. *Unconstitutional.* Contains no provision for repeal of section amended. *State v. Byrum*, 83 N. W. 207.
- 819 **Burglary.** Train robbery to be punished with imprisonment for life at hard labor or for any term not less than 10 years. Ia. 127, 29 Mr
- 820 **False pretenses.** False pretenses to conceal lien in case of sale. Amending Code '92 §1088. Miss. 96, 28 F

- 876 Town-meeting to be called on written request of 5% [formerly 15%] of electors in towns of 3000. Amending G.L.'96 ch.37 §6.  
R. I. 781, 31 My
- 877 Officers. Police jurors not to be paid per diem for more than 15 days in one year; 25 days in parishes of 30,000. Amending '77 ch.57 §5.  
La. 40, 5 Jl
- 878 Amending R.S.'97 §1533 relating to township supervisor's fees.  
O. p.88, 29 Mr
- 879 Township trustee not to become interested in profits from public work; penalty \$50 [formerly \$500] to \$1000. Amending R.S.'97 §6976.  
O. p.405, 16 Ap
- 880 Property. Buildings. Towns may take land not exceeding two [formerly one] acre for public buildings. Amending '99 ch.379 §1.  
Mass. 437, 5 Jl
- 881 Special meeting to vote money for town house not to be called within one year of similar meeting. Amending '90 ch.569 §190.  
N. Y. 295, 6 Ap
- 882 Electors at annual town meeting may direct sale of town property. Amending '90 ch.569 §22, 80.  
N. Y. 377, 11 Ap

### Municipalities<sup>1</sup>—incorporation, powers

#### General

- 883 Joint legislative committee to revise and codify special assessment laws and such other municipal laws as it may deem necessary.  
Ia. 176, 6 Ap
- 884 Amending Code '92 §3039 in reference to amendments to charters of municipalities on initiative of municipal authority, approval of governor and vote of electors if one-tenth protest.  
Miss. 69, 12 Mr
- 885 Classifying municipal corporations; cities, 2000; towns, 300 [formerly 500] to 2000; villages 100 to 300 [formerly 500]. Amending Code '92 §2911.  
Miss. 70, 6 Mr
- 886 Common councils may provide market facilities or additional market facilities. Amending '89 ch.190.  
N. J. 7, 28 F
- 887 In case of death common councils may appoint new trustees for property held for municipal corporations.  
N. J. 21, 7 Mr

<sup>1</sup>The usage of terms designating local bodies varies widely in different states. The word *municipality* is herein used in its original and strictest meaning to designate any densely populated, incorporated community; thus including cities, villages, boroughs and "towns" (as a name for villages) but not including townships. Where the word *town* is used to designate in general the smallest division of the state, regardless of dense population, it is grouped with township government, although in the case of the New England towns the nature of the government approaches more nearly that of a municipality than that of a western township.

In many states municipalities, specially cities, are divided into classes according to population. As the classification varies widely, the limits of population designated thereby are in these references substituted for the number of the class.

- 888 Towns, villages and incorporated districts may vote to buy land and erect buildings for fire department and public business; may issue 15 year, 5% bonds not exceeding \$15,000. N. J. 193, 23 Mr

**Cities. Towns**

- 889 Submitting constitutional amendment; cities of 3500 may propose to amend their charters by a *majority* [formerly three fifths] vote. *Vote November 1900. See p. 588.* Cal. j. r. 6, 9 F
- 890 Cities under 12,000 may levy tax of one mill for advertising its advantages. N. J. 142, 23 Mr
- 891 Cities that are seaside resorts may expend annually \$5000 for music for public entertainment. N. J. 154, 23 Mr
- 892 General city law concerning hearing on city bills; plumbing; bridges; police matrons; lodging houses; art commission; gas supply; tuberculosis hospitals and coal trade. N. Y. 327, 6 Ap
- 893 Miscellaneous amendments to law for government of cities of 50,000 to 250,000 ('98, ch.182). N. Y. 415, 11 Ap; 433, 13 Ap
- 894 Governor to appoint a commission of 15 persons to investigate government of city of New York and report needed changes in charter. City required to appropriate \$25,000 for expenses. N. Y. 465, 16 Ap
- 895 **Annexation.** General law concerning consolidated cities and annexed municipalities and townships. N. J. 83, 22 Mr
- 896 **Wards.** Amending '99 ch.4 relating to redistricting cities into wards. N. J. 11, 5 Mr
- 897 **Property. Buildings.** Cities may take land not exceeding *two* [formerly one] acres for public buildings. Amending '99 ch.379 §1. Mass. 437, 5 JI
- 898 Cities may buy land and erect city hall; may issue 5%, 40 year bonds not exceeding \$100,000. N. J. 51, 19 Mr
- 899 For erecting city buildings bonds may be issued not exceeding \$400,000 [formerly \$200,000]; in cities of 100,000 not exceeding 1,500,000 at 4% [formerly 5%] for 30 years; total expenditure in cities of 100,000 not to exceed \$1,500,000 besides amount derived from sale of buildings and grounds. Amending '87 ch.134 as amended by '91 ch.207. N. J. 55, 20 Mr
- 900 Lands dedicated for use of city may be sold by securing order from state chancellor. N. J. 66, 20 Mr

**Villages. Boroughs. Hamlets**

- 901 Amending '97 ch.161 §28 subdiv.2 and §33 subdiv.1 relating to powers of borough councils. N. J. 163, 23 Mr
- 902 Villages or hamlets located in more than one township shall petition for incorporation in township where majority of inhabitants reside. Amending R.S.'97 §1561a. O. p.18, 20 F

**Municipalities—officers**

- 903 **General.** Common council. Councilmen and aldermen in cities and towns of 2000 may not hold other municipal office; *but not ineligible for reelection.* Amending Code '95 §739.  
Ga. p.26, 21 D '99
- 904 **Officers.** Amending '98 ch.136 §19, 23 relative to number of officers of municipalities.  
La. 97, 10 JI
- 905 Salary of town treasurer not to exceed \$2000 [formerly \$1000]. Amending '95 ch.113 §25 as amended by '99 ch.100. N. J. 30, 15 Mr
- 906 Salary of assistant city or corporation attorney \$2500 [formerly \$1500] in cities of 100,000. Amending '94 ch.258 §6. N. J. 33, 15 Mr
- 907 Amending '94 ch.162 §1 relating to appointment of certain officers in cities of 50,000 to 125,000 [formerly 100,000].  
N. J. 170, 23 Mr
- 908 Term of office for town clerks, assessors and collectors of taxes three years.  
N. J. 189, 23 Mr
- 909 City clerk in cities of 50,000 to 250,000 may appoint deputy and other subordinates; clerk and *deputy* have powers of commissioners of deeds. Amending '98 ch.182.  
N. Y. 273, 3 Ap
- 910 Fixing solicitor's term in cities of first and third grades of first class. Amending R.S.'97 §1709.  
O. p.41, 16 Mr
- 911 Municipal officer not to become interested in profits from public work; penalty \$50 [formerly \$500] to \$1000. Amending R.S.'97 §6976.  
O. p.405, 16 Ap
- 912 Misdemeanor for municipal officer to contract to perform work or furnish material for municipal corporation.  
S. C. 259, 17 F

**Fire department**

- 913 **General.** Investigation of charges against members of fire department in cities of first and second classes; officers, members, salaries; exemption from arrest; firemen's pension fund; retired list; funeral expenses; annual report of trustees of fund; fund not subject to execution.  
Ky. 7, 15 Mr; 8, 16 Mr
- 914 Common councils may erect engine houses and issue bonds in payment.  
N. J. 18, 6 Mr
- 915 Board of fire commissioners in cities of 100,000 to transmit estimate of expenses for ensuing year to common council; tax not to exceed two mills.  
N. J. 34, 15 Mr
- 916 In cases of emergency village trustees may submit to vote how much money shall be expended on fire department; may borrow money for three years at 6%. Amending '91 ch.22 §49.  
N. J. 81, 22 Mr

- 917 Cities of 12,000 to 100,000 may vote to fix salaries of fire department: chief engineer not less than \$1500; assistant engineer \$1200; privates of less than one year's service \$480; of one year's service \$600; two years' \$780; three years' \$960.

N. J. 94, 22 Mr

- 918 On organization of paid fire department, volunteer firemen entitled to honorable discharge and exemption certificate.

N. Y. 449, 14 Ap

- 919 **Pensions. Relief.** Cities may indemnify firemen for expenses or damages sustained in discharge of duties. Amending '88 ch.379 §1.

Mass. 220, 11 Ap

- 920 Cities may pension firemen who have served 20 years and are 65 years of age or incapacitated for further service.

Mass. 246, 18 Ap

#### Light. Power. Heat. Water

- 921 **General.** Vesting cities and towns with power to regulate price of gas, electric lights, and water. N. M. '97 ch.57. *Unconstitutional.* Legislature can not delegate such power to consumers without providing for judicial investigation of reasonableness of rates. *Agua pura co. v. City of Las Vegas*, 60 P. 208.

#### Light. Power. Heat

- 922 Cities and towns may establish heating plants; assess taxes for same; fix regulations for corporations or individuals supplying heat. Amending Code '97 §720, 724, 725. Ia. 19, 21 F
- 923 **Public lights. Contracts.** Municipal corporations may expropriate private gas and electric light plants; six commissioners to fix valuation. La. 111, 11 Jl
- 924 Commission appointed to report on cost of electric light plant for state institutions at Baton Rouge. La. 151, 12 Jl
- 925 Cities and villages may appropriate real estate for electric light purposes. Amending R.S.'97 §2232. O. p.326, 16 Ap
- 926 Trustees of gas or electric works in cities to give bonds, of \$5000 [formerly \$20,000] to \$50,000; in villages, \$1000 to \$50,000. Amending R.S.'97 §2488. O. p.61, 22 Mr
- 927 Municipalities may light roads within their limits. N. J. 85, 22 Mr
- 928 **Gas and electric companies.** Two [formerly one] assistant gas inspectors; salary of first assistant \$1500 [formerly \$1200]; second assistant \$1200; fees; apparatus for inspecting to be provided by inspector [formerly gas companies]. Amending P.S.'82 ch.61. Mass. 459, 16 Jl
- 929 Gas light companies may reduce capital stock under certain conditions. N. J. 82, 15 Mr
- 930 Increasing powers of light, heat and power companies. Amending '90 ch. 566 §60, 61. N. Y. 575, 23 Ap

- 931 Electric light, gas, gas light and coke companies doing business in same municipality may consolidate. O. p.315, 16 Ap
  - 932 Street railway corporations may supply light, power and heat by means of electricity and gas for their own use or for sale. Amending '99 ch.41 §8. S. C. 217, 17 F
  - 933 Apparatus. Unlawful to maliciously injure or destroy electric light or electric railway posts or wires. Amending Code '97 §4807. Ia. 126, 24 F
  - 934 Misdemeanor to divert electric current or gas or to alter electric or gas meter. Ia. 154, 12 JI
  - 935 Misdemeanor to injure electric light plant. Amending '98 ch.235 §104. N. J. 153, 23 Mr
  - 936 Misdemeanor to interfere with electric wires, meters or apparatus. Amending Pen.C. §651. N. Y. 589, 23 Ap
  - 937 Electric company may construct its wires across railroad, canal, turnpike, county road, or wires of any company without injury to property crossed. Va. 966, 7 Mr
- Water. (See also Irrigation, 1472)
- 938 Municipal works. Amending Code '97 §748 as to care and disbursement of water works fund. Ia. 25, 3 Mr
  - 939 Vacancies on city board of waterworks trustees to be filled by board [formerly mayor of city]. Amending Code '97 §747. Ia. 25, 3 Mr
  - 940 Municipal corporations may expropriate private water plants; six commissioners to fix valuation. Ia. 111, 11 JI
  - 941 Cities may borrow \$1,500,000 [formerly \$1,000,000] to purchase existing waterworks; may issue bonds at 5% [formerly 7%]. Amending '76 ch.197 §7 as amended by '77 ch.82 §1. N. J. 27, 13 Mr
  - 942 Cities may buy new water supply by issuance or assumption of 50 year 4% bonds; sinking fund. N. J. 76, 22 Mr
  - 943 Cities may vote to have board of three water commissioners appointed by mayor; term three years; salary not to exceed \$500. N. J. 78, 22 Mr
  - 944 On petition of majority of resident real property taxpayers in district, town board may establish water system. N. Y. 451, 14 Ap
  - 945 Municipal corporations may fix rates for use of water and for fire protection to be assessed on real property on which water is not used. N. Y. '94 ch.284. Unconstitutional. Impairs obligation of contracts. Warsaw waterworks co. v. Village of Warsaw, 161 N. Y.176.
  - 946 Municipalities may buy existing water-works for such price as may be agreed upon [formerly not exceeding \$200,000]. Amending R.S.'97 §2435 subdiv.47. O. p.394, 16 Ap

- 947 Unlawful for cities or towns to lease or sell water systems except by vote of electors. Amending R.S.'95 art.418. **Tex.** 6, 16 Mr
- 948 Filtration. Cities of third grade, second class may issue bonds not in excess of \$62,500 for filtration plant. Amending R.S.'97 §2411. **O.** p.56, 21 Mr
- 949 Water companies. Granting eminent domain to corporations organized for storing and transporting water. Amending R.S.'97 §3878, 3880. **O.** p.382, 16 Ap
- 950 Ice. Retail ice dealers to sell piece of ice at fair value to any person tendering five cents or any multiple thereof not exceeding 50 cents. **Mass.** 448, 10 Jl
- 951 Unlawful to cut or sell ice for domestic purposes without permit from board of health; board may prohibit sale. **O.** p.370
- 952 Pollution of water. Misdemeanor to put walnut hulls, walnut leaves, devil shoe-string or other substances likely to poison or drive away fish in any waters. **Ga.** p.68, 20 D 99

#### Local improvements. Assessments

General street improvement. (*See also* Special assessments, 972)

- 953 Paving. Cities of second class, fourth grade may on petition pave streets; apportionment of expense. **O.** p.119, 10 Ap
- 954 Opening. Corporations for improving real property may secure title to lands for streets and highways by condemnation providing owners of half abutting property consent. Amending '90 ch.567. **N. Y.** 518, 19 Ap
- 955 Cleaning. Watering. Streets may be sprinkled and swept in cities of 10,000 to 50,000 on petition of majority of citizens in district; one fourth of cost to be assessed on occupants of abutting property and one fourth on abutting property. **La.** 161, 12 Jl

#### Side walks

- 956 Contracts for cleaning streets not to exceed one year. **N. J.** 104, 23 Mr
- 957 Construction. Repair. Cities may provide temporary [formerly plank] sidewalks; assess cost on abutting property *in proportion to special benefits*. Amending Code '97 §777. **Ia.** 26, 6 Ap
- 958 Amending Code '97 §779 as to collection of special tax for sidewalks. **Ia.** 27, 2 Mr
- 959 Township trustees may on petition construct foot-walks and foot-bridges. Amending R.S.'97 §4733; '81, p.83. **O.** p.24, 27 F

#### Sewerage

- 960 Construction. Providing for sewers in cities under 3000 on approval of two thirds of voters. **Mo.**'93 p.101. *Unconstitutional*. Power of each class of cities shall be defined by general law. *Owen v. Baer*, 55 S. W. 644.

- 961 For building sewers township committees may borrow money and issue improvement certificates in anticipation of collection of charges; may contract with adjoining municipalities for use of sewers! N. J. 38, 15 Mr
  - 962 For rebuilding defective sewers, cities may issue 20 year 4% bonds not exceeding \$50,000. N. J. 43, 19 Mr
  - 963 Miscellaneous amendments to '99 ch.210 creating a state sewerage commission and providing for sewerage districts. N.J. 72, 21 Mr
  - 964 Not more than *five* [formerly three] mills to be levied for sewers in cities of 90,000 to 200,000. Amending R.S.'97 §2689a. O. p.207, 14 Ap
  - 965 **Assessments.** City council may call special election of *entire city or of sewer district in which proposed improvement is to be made; tax upon entire city or said sewer district.* Amending Code '97 §799. Ia. 28, 6 Ap
  - 966 **Sewage disposal plant.** Cities of fourth grade, second class may vote to establish sanitary board to provide sanitary plant for disposal of sewage or garbage; duties and powers; tax for plant. O. p.71, 23 Mr
  - 967 City, village, *hamlet* or township may establish quarantine grounds and erect and maintain sanitary plant; method of procedure; sanitary board; funds. Amending R.S.'97 §2142. O. p.342, 16 Ap; p.383, 16 Ap
  - 968 **Miscellaneous.** Sewer connections. Amending '99 ch.319 §2. Mass. 112, 1 Mr
  - 969 Cities may purchase existing sewage systems; issue 40 year, 5% bonds not exceeding \$100,000. N. J. 100, 23 Mr
  - 970 Town councils may acquire interest in or right to connect with sewers owned by individuals or corporations; bonds for 20 years at 5%; assessment on property benefited. N. J. 164, 23 Mr
  - 971 Interference with sewers without written permit a misdemeanor. S. C. 250, 17 F
- Special assessments.** (See also special purposes of assessment—Streets, Sidewalks, Sewers)
- 972 Providing for issue and payment of municipal street improvement bonds; assessment to be first lien on property till bonds paid. Cal. '93 ch.21. *Unconstitutional.* Takes private property without due process of law. *Ramish v. Hartwell*, 58 P. 920.
  - 973 Special assessments to be in proportion to benefits; not to exceed 25% of value of lot; collection. Ia. 29, 7 Ap
  - 974 Assessments for benefits in cities under 1200 to draw interest *after 10 days* from confirmation. Amending '99 ch.52. N.J. 25, 13 Mr



State and local government

SUMMARY OF LEGISLATION, 1900

541

- 975 Amending '76 ch.181 relating to apportionment of taxes, assessments and water rents in cities, *boroughs*, towns and townships. N. J. 40, 16 Mr
- 976 Term of commissioners of assessment in boroughs to be at pleasure of council. Amending '97 ch.161 §52. N. J. 163, 23 Mr
- 977 Amending '95 ch.289 §5 relating to payment for street improvements in cities of 100,000. N. J. 165, 23 Mr
- 978 In cities of 12,000 special assessments for street improvements may be paid in 10 installments. N. J. 173, 23 Mr
- 979 Municipal corporations may borrow money at 6% [formerly 7%] in anticipation of special assessment. Amending R.S.'97 §2704. O. p.71, 23 Mr
- 980 Providing for local assessments in cities and towns and for apportionment of tax for improvement, between municipality and individuals. Repealing '96 ch.729. Va. 977, 7 Mr; 1020, 7 Mr

### Parks. Boulevards

(See also State parks, 852)

- 981 Establishment. Support. Ceding jurisdiction over certain land in Fulton county to United States government for national park. Ga. p.92, 21 D 99
- 982 Amending Code '97 §850, 851, 852, 859 relative to election and compensation of park commissioners in certain cities; park tax. Ia. 30, 14 F
- 983 Board of public works in cities of 40,000 may levy tax of *three* [formerly two] mills for park purposes; in cities of 25,000 board may levy additional tax of one mill during 1900 to 1903. Amending Code '97 §852. Ia. 31, 3 Mr
- 984 Cities may acquire lands bordering on Atlantic ocean for public resorts; may issue 40 year, 5% bonds not exceeding \$250,000; mayor to appoint three commissioners of public grounds to serve without pay; term three years; annual reports. N. J. 99, 23 Mr
- 985 Bicycles. Park commissioners may not require lanterns on bicycles. Amending '94 ch.479 §2. Mass. 312, 16 My

### Cemeteries

- 986 Cemetery associations. Tax levied by cemetery corporation on lot owners remaining unpaid for five years becomes lien; while unpaid, owner may not use lot. Amending '95 ch.559 §52. N. Y. 761, 4 My
- 987 Crematories. Morgues. Municipalities may grant franchise for erection and maintenance of crematory for 20 years. N. J. 161, 23 Mr

- 988 Crematory not to be erected within 200 [formerly 300] yards of dwelling without consent of owner; morgue 200 yards [formerly feet]. Amending R.S.'97 §3586a. O. p.95, 3 Ap
- 989 **Miscellaneous.** Lot owners in cemeteries may incorporate. Amending '95 ch.559 art.3. N. Y. 480, 17 Ap
- 990 When detrimental to public health, common council may prohibit further interment in cemeteries in cities under 50,000. N. Y. 703, 30 Ap
- 991 Wife, husband, parent or child of person having cemetery lot may be buried therein without consent of any person; exceptions. Amending '95 ch.559 §51. N. Y. 715, 1 My

### Roads and bridges

#### General systems and administration. Officers

- 992 State road system and state aid. Cities and towns to have 10 [formerly 30] days to elect to contract with state highway commission for construction of proposed highway. Amending '94 ch.497 §4. Mass. 404, 27 Je
- 993 Cities and towns to be taxed annually not exceeding \$50 per mile for construction and repair of roads by state highway commission; provisions for towns with no state highway; no town to receive from state more than 40% of its average appropriation for highways for five years previous. Mass. 432, 5 Jl
- 994 State treasurer to issue \$500,000, 30 year 4% bonds to be expended by state highway commission for construction and repair of roads. Mass. 442, 10 Jl
- 995 Salary of chairman of state highway commission \$3500 [formerly \$2000]; other two members each \$2500 [formerly \$2000]. Amending '93 ch.476 §1. Mass. 474, 17 Jl
- 996 State highway commission may alter location made by it for state highway; land so abandoned to revert to original owners. Mass. 475, 17 Jl
- 997 Salary of state commissioner of public roads \$2500 [formerly \$1500] and \$1500 [formerly \$1000] for expenses. Amending '96 ch.100. N. J. 155, 23 Mr
- 998 Commissioners of highways of towns wherein improved state roads are built to keep same in repair under direction of state engineer. Amending '98 ch.115. N. Y. 293, 6 Ap
- 999 **Road officers.** Commissioners of roads and revenues in counties of 75,000 may employ inspectors of roads and bridges; duties. Ga. p.89, 8 D 99
- 1000 **Road taxes and work.** Public roads may be worked by contract; board of supervisors may appoint road commissioner; poll tax of eight days work or \$3, and one mill tax on property. Miss. 119, 12 Mr

- 1001 Submitting constitutional amendment; special one and one half mill road and bridge tax may be levied by county courts or township boards except in the cities of St Louis, Kansas city and St Joseph. *Adopted November 1900.* Mo. p. 381, 99
- 1002 Electors may vote at *special or biennial* [formerly each annual] town meeting to change system of taxation for working highways. Amending '90 ch.568 §51. N. Y. 25, 24 F
- 1003 Township trustees shall levy annual tax of *six* [formerly three] mills for road improvement, *if majority of electors so vote.* Amending R.S.'97 §4686 subdiv.18. O. p.238, 16 Ap
- 1004 **County roads.** On petition of owners of one fourth land affected, county commissioners may construct road and assess cost in 10 installments on land within one mile. Minn. '95 ch.302. *Unconstitutional.* Violates provision requiring taxes to be as nearly equal as may be. *Sperry v. Flygare*, 83 N. W. 177.
- 1005 County commissioners to improve roads on petition; procedure; tax for road improvement fund; bonds. O. p.96, 4 Ap
- 1006 Increasing and defining duties of county road commissioners; assessments. Amending R.S.'97 §4637. O. p.364, 16 Ap
- 1007 Amending '98 p.126, relating to improvement of certain county roads. O. p.403, 16 Ap
- 1008 Amending '96 ch.109 relating to county roads and highways; condemnation of land and assessment of damages; persons liable to road duty; 10 hours day's work; commutation tax. S. C. 164, 19 F
- 1009 **Town roads. Road districts.** Board of supervisors may authorize a town to discontinue any highway or bridge. Amending '92 ch.686 §69. N. Y. 12, 13 F
- 1010 Highway constructed by commissioners appointed by supreme court if in incorporated village may become village highway on filing certificate of completion with county clerk. N. Y. 300, 6 Ap
- 1011 Requiring appointment of overseers of highways on *April 15 annually* [formerly within one week after annual town meeting]. Amending '90 ch.568 §4 subdiv.5. N. Y. 399, 12 Ap
- 1012 Township trustees to furnish *necessary tools* [formerly plows and scrapers] to road districts. Amending R.S.'97 §4735. O. p.90, 29 Mr
- 1013 Township trustees may make township a road district; for improving roads electors may vote bonds not exceeding \$100,000 at 5%; contracts. O. p.129, 12 Ap
- 1014 Question of road improvement in township including roads running into any village or city of 5000 to 10,000 to be submitted to electors; regulations. Amending '96 p.63. O. p.284, 16 Ap

- 1015 **Improved roads.** Commissioners of free turnpike road to be *resident within bounds of road and recommended by petition of a majority of landowners if any recommendation is made.* Amending R.S.'97 §4775. O. p.334, 16 Ap

**Details of management**

- 1016 **Roads on boundaries.** After road on township, municipality or state boundary line has been apportioned between townships, supervisors *shall work and keep their respective portions in repair.* Amending R.S.'97 §4747. O. p.184, 14 Ap
- 1017 **Obstruction. Injury to roads.** Hedge fences to be trimmed every two years *when so ordered by township trustees.* Amending Code '97 §1570. Ia. 54, 29 Mr
- 1018 **Person injuring highway** shall be fined [formerly confined in county jail also]. Amending Code '87 §3856. Va. 999, 7 Mr
- 1019 **Damages through defect.** State shall be liable for injuries to travelers on state highways; except those caused during construction of road. Repealing '94 ch.497 §6. Mass. 253, 25 Ap
- 1020 **Encroachments.** Road supervisor to notify owner or agent of land before removing fences as obstructions. Amending Code '97 §1560. Ia. 52, 23 Mr
- 1021 **Weeds. Brush.** Weeds on public roads to be cut between July 15 and Aug. 15. Repealing '98 ch.38. Ia. 139, 6 Ap
- 1022 **Brush and weeds** shall be removed from township highway during September by owner or occupant of land abutting. N. J. 98, 23 Mr
- 1023 **In towns having money system of working highways,** owner of land abutting highway to cut weeds and brush. Amending '90 ch.568. N. Y. 516, 19 Ap
- 1024 **Wide tires.** Repealing '97 ch.117 regulating width of wagon tires. Cal. 14, 9 F
- 1025 **Regulating width of tires on draft wagons;** in force January 1, 1902. Mass. 334, 23 My
- 1026 **Cities under 12,000** may require four inch tires on 1500 pound wagons on macadamized streets. N. J. 168, 23 Mr
- 1027 **Bicycles.** Creating board of state sidepath commissioners; regulations for construction and maintenance of county bicycle paths by county boards appointed by state board. Md. 658, 10 Ap
- 1028 **Defining powers and duties of bicycle sidepath commissioners.** Amending '99 ch.152. N. Y. 640, 24 Ap
- 1029 **Governor to appoint five commissioners to build and maintain sidepaths** three to six feet wide; term five years; license fee 50 cents to \$1 to form sidepath fund; regulations for cyclists; penalty for injury to paths. R. I. 757, 4 My

- 1030 **Miscellaneous.** Violation of law relating to steam engines on highways punishable by 30 days' imprisonment or fine of \$100. Amending Code '97 §1571. **Ia.** 55, 6 Ap
- 1031 Township committee may pay for construction and maintenance of five public watering troughs. **N. J.** 133, 23 Mr
- Toll roads**
- 1032 Light to be kept on toll gates during night. **Md.** 546, 7 Ap
- 1033 **Public purchase and control.** Commissioners appointed to appraise turnpike road to receive \$5 per day and \$2 per day for expenses. **N. J.** 63, 20 Mr
- 1034 When turnpike company abandons road, county court *may* [formerly shall] take charge. Amending Code '87 §1002. **Va.** 590, 6 Mr
- 1035 **Bicycles.** Turnpike companies not to charge toll on bicycles. **Md.** 549, 7 Ap
- Bridges.** (*See also* Railway bridges, 1262)
- 1036 Bridges may be built over navigable rivers on approval of United States chief of engineers and secretary of war. **Ky.** 21, 20 Mr
- 1037 **Bridges on boundaries.** When city erects bridge across navigable stream connecting adjacent territory with municipality council may charge toll. Amending Code '92 §2936. **Miss.** 122, 12 Mr
- 1038 Cost of bridges *between counties* may be paid in annual instalments or bonds may be issued. Amending '88 ch.246 §2. **N. J.** 41, 16 Mr

## Military regulations

### Militia. National guard

- 1039 **General and miscellaneous.** Officers of volunteers to serve *three years* [formerly till death, resignation, promotion or dismissal]; fixing compensation of volunteer forces in active service. Amending Code '95 §1143, 1218. **Ga.** p.28, 20 D 99
- 1040 General act reorganizing state militia. **Ga.** p.60, 20 D 99
- 1041 Amending Code '97 §2173, 2178, 2180, 2203, 2212, relating to the militia. Repealing §2176, 2179, 2181, 2211. **Ia.** 72, 16 Ap
- 1042 Amending laws relating to militia. **Md.** 657, 10 Ap
- 1043 Amending militia law ('93 ch.367 §26) as to officers and employees. **Mass.** 188, 3 Ap
- 1044 Governor to appoint five persons to revise militia laws and report to legislature by Jan. 1, 1901. **Mass.** j. r. 71, 18 My
- 1045 Establishing board of military regulations composed of adjutant general, judge advocate general, and commanding officers of regiments of national guard; to make regulations for government and instruction of national guard conforming as nearly as practicable with United States army regulations. **Miss.** 72, 6 Mr

**Military regulations**

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- 1046 Revision of laws relating to military and naval forces.  
N. J. 178, 23 Mr; 179, 23 Mr
- 1047 Hospital corps not to exceed 25 [formerly 13] men, sergeant and five [formerly three] corporals; regiment to have military pharmacist of grade of first lieutenant. Amending '98 ch.212 §25, 26, 52, 53, 55, 75. N. Y. 746, 3 My
- 1048 Amending R.S.'97 §3059 as to personnel, compensation and duties of board of examiners to national guard. O. p.136, 13 Ap
- 1049 Each regiment of state militia to have signal officer with rank of first lieutenant. Amending R.S.'97 §3036. O. p.367, 16 Ap.
- 1050 Amending certain sections of R.S.'93 relating to militia.  
S. C. 212, 19 F
- 1051 General law for organization of state militia. Va. 1131, 7 Mr
- 1052 Officers. Salaries. Support. Each officer and soldier in national guard to receive 10 cents per hour and not exceeding 20 cents in any one week for attendance at company drill; deduction for absence without leave. Amending Code '97 §2213. Ia. 73, 5 Ap
- 1053 Adjutant general to have rank of major general. La. 45, 5 Jl
- 1054 Amending '98 ch.133 §14, 19 relative to number and rank of battalion staff officers and election of field officers of regiments and battalions. La. 46, 5 Jl
- 1055 State treasurer may advance to bonded paymasters of the militia not exceeding 80% of pay due to officers and men.  
Mass. 266, 26 Ap
- 1056 Commissary general to have rank of brigadier general.  
Mass. 352, 25 My
- 1057 Judge-advocate general to have rank of brigadier general.  
Mass. 353, 25 My
- 1058 Salary of adjutant general and quartermaster general each \$2500 [formerly \$1200]. Amending '76 ch.28. N. J. 180, 23 Mr
- 1059 Amending R.S.'97 §98, relating to number and rank of military staff. O. p.102, 6 Ap
- 1060 Amending R.S.'97 §3080, 3105, 3082; '98, p.240 relative to yearly payments to organizations of national guards; treasurer's bond to be approved by county auditor [formerly probate judge]; during encampments major general to receive \$7 a day, brigade commander \$6. O. p.314, 16 Ap
- 1061 Armories. Property of armory association exempt from taxation. N. J. 68, 21 Mr
- 1062 Appropriating annually \$7250 [formerly \$6000] for armory rents of state militia. Amending '96 ch.310. R. I. 755, 4 My

- 1063 **Flag.** Unlawful to deface national flag or use for advertising; persons engaged in art exhibitions excepted. Ill.'99 p.234. *Unconstitutional.* Discriminates in favor of a class and infringes privileges and immunities of citizens. *Ruhrat v. People*, 185 Ill. 133.
- 1064 Misdemeanor to publicly mutilate United States flag. Ia. 131, 6 Ap
- 1065 **Independent organizations.** Men under 18 years of age may with consent of governor drill with imitation firearms. Amending '95 ch.465 §6. Mass. 162, 20 Mr

**Veterans. War memorials**

**Pensions. Relief**

- 1066 **State pensions and aid.** Submitting constitutional amendment pensioning confederate soldiers who were permanently disabled or who are unable to support themselves. Adopted October 1900. Ga. p.19, 20 D 99
- 1067 Unlawful for state pensioner without a family to draw pension after being adjudged a lunatic. Ga. p.91, 22 N 99
- 1068 Submitting amendment to art.303 of constitution relative to pensioning confederate soldiers; total annual appropriations for pensions not to be less than [formerly to exceed] \$50,000 nor more than \$75,000. Adopted November 1900. La. 73, 6 J1
- 1069 Soldiers' relief not to be furnished except through officials charged with disbursement of state aid. Amending '98 ch.356 §1. Mass. 189, 3 Ap
- 1070 Authorizing auditor general to pay relief claims of soldiers of Spanish war to the amount of \$40,000. Mich. 3, 8 Ja
- 1071 Revision of law providing pensions for indigent confederate veterans and widows; board of supervisors, sheriff, and chancery clerk constitute board of inquiry; no compensation to officers; names of pensioners to be published. Miss. 73, 10 Mr
- 1072 Authorizing city of New York to pay soldiers of Spanish war in employ of city salary during absence. N. Y. 644, 24 Ap
- 1073 Creating an office of Ohio soldiers claims to prepare and collect claims against United States; appointed by governor; term two years; salary \$1800. O. p.164, 14 Ap
- 1074 General act; \$100,000 to be appropriated annually for pensions to indigent confederate soldiers. Repealing R.S.'93 §939-55. S. C. 225, 19 F
- 1075 City and county confederate pension boards to be appointed by court; pensions not exceeding \$100 annually to indigent veterans, and \$40 to widows; no fees from applicants; misdemeanor to buy pension claim at discount; pensions exempt from execution. \$135,000 appropriated annually. Va. 1149, 7 Mr

**Military regulations**

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- 1076 **Local relief.** No indigent veteran nor family of such to be sent to any almshouse [formerly except by consent of commander and quartermaster of G. A. R.] Amending '96 ch.225 §80.  
N. Y. 475, 17 Ap
- 1077 **County tax for relief of United States [formerly union] soldiers.**  
O. p.157, 14 Ap
- 1078 **Burial expenses.** *Dependent mothers* of indigent veterans of civil war to be buried by state. Amending '97 ch.164 §1.  
Mass. 102, 23 F
- 1079 **Extending '96 ch.225 §83** relative to burial of indigent veterans to all veterans [formerly veterans of civil and Mexican wars only].  
N. Y. 24, 24 F
- 1080 **County commissioners to procure metal marker for graves of United States soldiers.**  
O. p.228, 14 Ap
- 1081 **Honorably discharged [formerly ex-union] soldiers and sailors to be buried by state.** Amending '84 p.146; '91 p.330; '93 p.176.  
O. p.323, 16 Ap
- 1082 **Appropriating \$15 annually for care of military burial ground at Dutch Island.**  
R. I. 760, 24 Ap
- 1083 **Preference of veterans.** Confederate soldiers on state indigent pension roll may practise medicine without tax. Ga. p.99, 19 D 99
- 1084 **Maimed or disabled confederate soldiers exempted from tax as proprietors of parks, ball grounds and race tracks.**  
Ga. p.100, 20 D 99
- 1085 **Veterans of civil war may not be removed except for cause after notice and hearing, from any county office or employment except constitutional and statutory offices and positions with fixed terms.**  
N. J. 61, 20 Mr
- 1086 **Preference in appointment to public service to be given to United States [formerly Union] soldiers and sailors.** O. p.157, 14 Ap
- Soldiers' home**
- 1087 **Defining powers of board of control over pension money of members of state soldiers' home.** Amending Code '97 t.12 ch.20; '98 ch.118.  
Ia. 92, 29 Mr
- 1088 **Salary of chief executive at Iowa soldiers' orphans' home to be \$1500 [formerly \$1200].** Amending '98 ch.74. Ia. 141, 3 Ap
- 1089 **Soldiers of Spanish and Philippine wars to be admitted to New Jersey home for disabled soldiers.**  
N. J. 10, 28 F
- 1090 **Amending '98 ch.174 §3, 4, 7, 9** relating to home for disabled soldiers and their wives.  
N. J. 194, 23 Mr
- 1091 **Exempting soldiers and sailors home from control of state board of charities.**  
N. Y. 769, 5 My



- 1092 Admitting to state orphans' home children of soldiers who die of wounds or disease contracted in army or navy of United States [formerly in civil war]. Amending R.S. §676. O. p.88, 29 Mr

**Miscellaneous**

- 1093 **Organizations.** Governor may grant temporary loan of military stores to veteran associations of civil war or *Spanish or Philippine wars*. Amending '79 ch.43. N. J. 181, 23 Mr
- 1094 Extending Pen. C. §674a forbidding unauthorized wearing of badges to badge of military order of foreign wars of United States and button of Spanish war veterans. N. Y. 508, 18 Ap
- 1095 Memorial buildings to have hall for use of G. A. R. and auxiliary bodies. Amending R.S.'97 §3107 subdiv.16. O. p.339, 16 Ap
- 1096 Penalty \$20 for wearing without right badge of *Spanish war veterans*. Amending G.L.'96 ch.283 §22. R. I. 742, 3 My
- 1097 **Monuments. Battlefields.** \$50,000 appropriated for monuments to mark positions of Iowa volunteers in battle of Shiloh. Ia. 187, 6 Ap
- 1098 \$2000 appropriated to determine positions of Iowa troops in siege of Vicksburg. Ia. 178, 29 Mr
- 1099 Antietam battle field to be transferred to United States government. Md. 200, 7 Ap
- 1100 Governor to appoint three commissioners to fix position of Massachusetts troops at siege of Vicksburg; to recommend permanent marking; \$600 for travelling expenses. Mass. j.r. 17, 7 Mr
- 1101 Commission to erect monument at Andersonville in memory of Massachusetts soldiers; cost not to exceed \$8000. Mass. j.r. 77, 28 My
- 1102 Governor to appoint commission to locate positions of Mississippi troops in defense of Vicksburg and recommend legislation; report; \$1000 for expenses. Miss. 37, 10 Mr
- 1103 Commissioners of battlefields of Gettysburg and Chattanooga to determine positions of New York troops in siege of Vicksburg and recommend legislation to mark said positions; \$1000 for expenses. N. Y. 139, 15 Mr
- 1104 Commissioners of battlefields of Gettysburg and Chattanooga authorized to place bronze group "Reconciliation" on monument on Lookout mountain. Amending '95 ch.857 §5. N. Y. 162, 16 Mr
- 1105 \$25,000 conditioned that \$150,000 be raised from other sources for monument in Brooklyn to prison ship martyrs of revolution. N. Y. 262, 31 Mr

- 1106 Controller may buy 25 acres of battlefield of Lake George for a state park; \$15,000 appropriated. N. Y. 391, 12 Ap
- 1107 \$3500 appropriated for improvement and care of Stony Point peninsula by society for preservation of scenic and historic places. N. Y. 408, 12 Ap
- 1108 Additional appropriation of \$53,000 for marking positions of Ohio troops at battle of Shiloh. O. p.28, 28 F
- 1109 \$5000 to erect a monument on the site of Andersonville prison to Ohio soldiers. O. p.155, 14 Ap
- 1110 Governor to appoint commission of six to cooperate with national commission in marking positions of Ohio troops in siege of Vicksburg; \$1000 for expenses. O. p.401, 16 Ap
- 1111 Governor to appoint two commissioners to fix position of Rhode Island troops in siege of Vicksburg and report recommendations. R. I. j.r. 4, 13 Je
- 1112 Appropriating \$10,000 to erect confederate monument to South Carolina soldiers at Chickamauga. S. C. 272, 17 F
- 1113 War records. Relics. Creating commission to place in state library civil war battle flags of Maryland organizations, union and confederate. Md. 485, 7 Ap
- 1114 Assessors to collect names and addresses of soldiers of Spanish and Philippine wars. Amending R. S. '97 §1522 subdiv.1. O. p.83, 29 Mr
- 1115 Commissioners of revenue to report by Jan. 1, 1902 and annually thereafter names of confederate veterans omitted from previous reports. Amending '98 ch.99. Va. 840, 6 Mr

## Charities

(See also Membership corporations, <sup>1</sup> 292; Fraternal beneficiary societies, 1228; Firemen's pensions, 919; State finance—institutions, 349; State institutions, 848; Veterans—pensions and relief, 1066)

### Charities and corrections—general

- 1116 Probate judge in counties having no resident common pleas judge shall appoint board of county visitors for inspection of public charitable and correctional institutions. Amending R.S.'97 §633 subdiv.15. O. p.70, 22 Mr
- 1117 Secretary of board of state charities and corrections not to be member of board. Amending G.L.'96 ch.291 §3. R. I. 753, 4 My

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<sup>1</sup>Many general incorporation laws cover charitable and several other classes of non-profit corporations. To save repetition these are all placed together.

**Poor relief**

- 1118 **General.** Repealing '97 ch.203 providing that residence in town or city be lost by one year's continuous residence elsewhere. **N. Y.** 345, 9 Ap
- 1119 **Poorhouses.** State board of charity to inspect almshouses in cities and towns and report annually. **Mass.** 215, 11 Ap
- 1120 **Name of state almshouse at Tewksbury changed to State hospital.** **Mass.** 333, 23 My

**Children. Orphans**

(See also Family, 1; Guardianship, 600)

- 1121 **Dependent and neglected children.** Amending Code '88 art.42 §18, 19 relating to procedure in committing minors to juvenile institution. **Md.** 306, 5 Ap
- 1122 **Defining powers of juvenile institutions and societies.** **Md.** 316, 5 Ap
- 1123 **State board of charity may remove child under seven years kept apart from parents without proper care; shall apply to court for removal of unsuitable guardian.** **Mass.** 254, 25 Ap
- 1124 **On request state board of charity may provide for care and maintenance of indigent and neglected children; process of commitment; to be placed in private families.** **Mass.** 397, 25 Je
- 1125 **Vagrant or incorrigible children may be committed to reform institution till age of 21; procedure; cost of maintenance.** **N. J.** 183, 23 Mr
- 1126 **Regulating commitment of negro minors to negro reformatory association.** **Va.** 273, 5 F
- 1127 **Minors under 18 may be committed to prison association for indeterminate period, but must not be detained after majority.** **Va.** 844, 6 Mr
- 1128 **State board.** Children committed to charitable institutions exempt from law ('99 ch.165) relating to state board of children's guardians. **N. J.** 84, 22 Mr
- 1129 **Children's homes.** Trustees of district and county children's homes may accept bequests. Amending R.S.'97 §936a. **O.** p.26, 27 F
- 1130 **Amending '69 p.8 as to duties of trustees on receiving bequests to county orphan asylum and children's homes.** **O.** p. 184, 14 Ap
- 1131 **Board of control of state home and school to report annually to general assembly in January** [formerly to state board of education in November]. Amending G.L.'96 ch.87 §11. **R. I.** 720, 9 F

**Deaf and dumb. Blind**

- 1132 **Deaf and dumb.** Salary of female teachers in grammar department of institute for deaf and dumb \$800 [formerly \$700]; in primary department \$700 [formerly \$600]. Amending R.S.'97 §664. O. p.181, 14 Ap
- 1133 Providing for care and maintenance of deaf and dumb [formerly aged and infirm deaf and dumb]. Amending '93 p.212. O. p.369, 16 Ap
- 1134 **Blind.** Closing the industrial home for the blind and authorizing the lease of the farm and sale of personal property. Amending Code '97 t.13 ch.10. Ia. 103, 6 Ap
- 1135 Appropriating \$1000 to Perkins institution and Massachusetts school for the blind for instruction of adult blind at their homes, under supervision of state board of education. Mass. 430, 5 Jl
- 1136 Salary of superintendent of Institution for blind \$1500 [formerly \$1000]. Amending Code '92 §3952. Miss. 38, 10 Mr

**Sick and wounded**

(See also Contagious diseases, 1347)

- 1137 **Hospitals.** \$15,000 for hospital for crippled and deformed children; governor to appoint board of five managers, term five years, expenses paid; managers appoint treasurer, and surgeon in chief who shall be superintendent; children with incurable disease not admitted. N. Y. 369, 11 Ap
- 1138 Hospital corporation shall not have more than 48 [formerly 30] directors. Amending '95 ch.559 art.6 §80. N. Y. 404, 12 Ap
- 1139 Corporations may be formed to conduct sanitariums. Amending R.S.'97 §3235. O. p.65, 22 Mr

**Insane. Feeble-minded**

- 1140 **General.** Repealing '97 art.3 §19, relating to tenure of office and salary of certain officers under state lunacy commission. Cal. 15, 9 F
- 1141 State board of control to supervise all county and private institutions for insane; to inspect and report semiannually and make regulations; may transfer patients from private or county institution to state hospital and vice versa. Ia. 144, 7 Ap
- 1142 Amending insanity law, ('96 ch.545) as to powers and duties of commission in lunacy, boards of managers, superintendents, and government of Manhattan state hospital. N. Y. 380, 11 Ap
- 1143 Revision of law relating to insane hospitals; boards of directors; officers; funds; reports; ascertaining insanity; commitment; non-resident insane; committee of insane person. Va. 933, 7 Mr

- 1144 **State asylums.** Changing name of Second hospital for insane for state of Maryland to Springfield state hospital. Md. 70, 20 Mr
- 1145 Establishing state colony for insane of 1500 to 2500 acres; seven trustees to be appointed by governor; term five years; transfer of patients. Mass. 451, 11 Jl
- 1146 Names changed; State *insane* [formerly *lunatic*] hospital; East Mississippi *insane hospital* [formerly *asylum*]. Miss. 62, 6 Mr
- 1147 '97 ch.413 §37 requiring monthly payments to state treasurer does not apply to proceeds of manufactures of hospitals for insane. N. Y. 326, 6 Ap
- 1148 Board of managers of state hospitals may remove treasurer at their pleasure. Amending '96 ch.545 §34 subdiv.2.

N. Y. 676, 25 Ap

**Support. Right of admission**

- 1149 Amending Code '88 art.59 §1, 3, 31 relative to care of indigent insane. Md. 603, 10 Ap
- 1150 **State support.** Fixing the sum per capita allowed for support of insane hospitals. Amending '98 ch.54. Ia. 140, 7 Ap
- 1151 After Jan. 1, 1904 state board of insanity to have custody of all insane committed to institutions; city and town institutions abolished, except in Boston. Mass. 451, 11 Jl
- 1152 Failure of county to present claim to state treasurer at quarterly intervals for maintaining patients at county lunatic asylum shall not prejudice its claim. N. J. 101, 23 Mr
- 1153 Unlawful after June 1, 1903 [formerly 1900] to keep insane or epileptics at county infirmary. Amending '98 p.274 §5.

O. p.166, 14 Ap

**Examination. Commitment. Discharge**

- 1154 Application for commitment to state insane or dipsomaniac hospital shall be preceded by notice to local overseers of poor. Mass. 350, 25 My
- 1155 County commissioners to fix compensation for examining lunatics and conveying them to state hospital. S. C. 231, 9 F
- 1156 **Parole.** Authorizing furloughs to inmates of state insane hospitals. Va. 110, 23 Ja

**Epileptics. Idiots.**

- 1157 **Colonies.** Village for epileptics to have *eight*; [formerly *six*] trustees; term *four* [formerly *three*] years. Amending '98 ch.113. N. J. 129, 23 Mr
- 1158 **Asylums.** Inmates of Maryland asylum and training school for feeble minded, 21 years of age, to be examined as to mental condition. Md. 521, 7 Ap
- 1159 **Support.** Traveling and incidental expenses of epileptic patient and of officer in charge shall be paid by *county* [formerly *institution*] or *by patients*. Amending '94, p.96 §8. O. p.182, 14 Ap

## Penal institutions

(See also Charities and corrections, 1116; State institutions, 848; Criminal procedure—apprehension, transportation, execution, etc.)

- 1160 General.** Creating board of control of state penitentiary; three commissioners to be appointed by governor; term six years; salary \$3000, president \$4000, warden \$2000; may secure land for convict farms and manufactories; may bid and contract for for the building by the convicts of state and local public works; may purchase property of present lessees of convicts at expiration of lease March 3, 1901; may establish a reformatory for convicts from seven to 17 years of age; board to enter office Oct. 1, 1900; president may visit other states to investigate convict systems. La. 70, 6 J1

### Prisons

- 1161 State prison.** \$80,000 for establishment of penitentiary farm of 8000 to 15,000 acres. Miss. 56, 21 F
- 1162** Requiring warden of penitentiary to make annual settlement with treasurer thereof; treasurer to transfer penitentiary moneys to general state fund. Miss. 59, 12 Mr
- 1163** Requesting board of control to furnish itemized statement of monthly expenses and receipts of each penitentiary farm. Miss. 60, 12 Mr
- 1164** Amending R. S. pt.4 ch.3 §45 relative to deposit of funds by agent and warden of state prisons: monthly estimates of expenditures to be approved by superintendent of state prisons. N. Y. 72, 2 Mr
- 1165 State prison—officers.** Wardens of penitentiaries to give \$25,000 [formerly \$50,000] bond; clerks \$20,000 [formerly \$40,000]. Amending Code '97 §5662, 5667. La. 136, 3 Ap
- 1166** Warden of state prison may appoint electrician and assistant engineer at prison. Mass. 286, 2 My
- 1167** Guards of penitentiary and state farm to have 15 days vacation during year. Va. 842, 6 Mr
- 1168 State reformatories.** Providing for the establishment, management and maintenance of an industrial reformatory for females at Anamosa. La. 102, 6 Ap
- 1169** Amending '96 ch.546 §145 relative to bond of superintendent and managers of houses of refuge and reformatories for women. N. Y. 49, 4 Mr
- 1170** Organization and management of Eastern New York reformatory. N. Y. 348, 10 Ap

- 1171 Revision of laws relating to Elmira reformatory; board of managers; transfer, register, discipline, promotion, and parole of prisoners. N. Y. 378, 11 Ap
- 1172 Establishing a reformatory in connection with the state penitentiary for male convicts under 16. S. C. 246, 19 F
- 1173 **Reform schools.** Amending Code '97 t.13 ch.8, relating to industrial schools. Repealing §2702, 2703, 2705; '98 ch.80. Ia. 100, 16 Ap
- 1174 For support of girls at state industrial school \$12 [formerly \$10] each per month appropriated. Amending '98 ch.81. Ia. 101, 5 Ap
- 1175 Changing name of State reform school for juvenile offenders to State home for boys; general revision of laws. N. J. 93, 22 Mr; 192, 23 Mr
- 1176 Revision of laws relating to state home [formerly industrial school] for girls. 12p. N. J. 190, 23 Mr; 191, 23 Mr
- 1177 Commitment of girls above nine and under 16 [formerly 15] to industrial home; girls under 18 [formerly 16] may be transferred from penitentiary or other penal institution to industrial home. Amending R.S.'97 §769, 772, 774. O. p.114, 10 Ap
- 1178 County jails. Persons charged with felony held in county jail in default of bail may at request be worked on state farm till next term of circuit court. Miss. 109, 12 Mr
- 1179 In counties under 125,000 sheriff to be custodian of jails; may resign custody to board of chosen freeholders. N. J. 184, 23 Mr
- 1180 Board of supervisors may contract with sheriff for board of prisoners in county jail. Amending '92 ch.686 §12. N. Y. 130, 15 Mr

### Convicts—commitment, management

(See also Neglected and dependent children, 1121)

#### Commitment. Discipline. Instruction

- 1181 Repealing provision of '97 p.71 §8d providing separate compartment for sleeping purposes for each convict in state prison. Ga. p.67, 20 D 99
- 1182 Gate receipts from visitors at penitentiaries to be used for benefit of prisoners, 75% for books, 25% for lectures and entertainments. Amending Code '97 §5685. Ia. 137, 7 Ap
- 1183 Provisions of law for identification of criminals ('90 ch.316) extended to convicts sentenced to reformatory prison for women. Mass. 260, 25 Ap
- 1184 When sentence less than one year female felon over 16 may be committed to county jail, penitentiary, or state prison for women at Auburn; if between 15 and 30, on first conviction, to a house of refuge or reformatory for women. Amending Pen.C. §698. N. Y. 114, 12 Mr

- 1185 Superintendent of prisons to file Bertillon descriptive cards received from sources outside state; \$2400 [formerly \$1200] annually for expense of measuring and classifying prisoners. Amending '96 ch.440 §1. N. Y. 498, 18 Ap
- 1186 Requiring sheriffs to arrest escaped convicts; neglect a misdemeanor. S. C. 173, 19 F

**Sentence. Parole. Pardon**

- 1187 Probation. Probation officers shall be reimbursed for expenses incurred to the extent of \$200 [formerly \$100] a year. Mass. 279, 2 My
- 1188 Act for regulation and improvement of probation service. Mass. 449, 10 JI
- 1189 Probation officers may be appointed in each county by judges of court, with powers of constable, to inquire into record of persons convicted; court may order sentence suspended and convict placed on probation under officer. N. J. 102, 23 Mr
- 1190 Parole. Board of prison commissioners may provide for parole of prisoners, except those convicted of rape or incest; person convicted of murder to serve at least five years, of arson, burglary or robbery the minimum term provided by law; if paroled convict remains in state he shall report his residence and conduct every six months to prison commissioners. Ky. 26, 21 Mr
- 1191 Petition of convict for conditional pardon to state that *for two years preceding* he has kept prison rules. Amending '98 ch.685 §1. Va. 244, 3 F
- 1192 Pardon. Submitting amendment to §76, art.3, of constitution establishing board of pardons to consist of governor, attorney-general, chief justice of supreme court and two electors appointed by governor. Adopted November 1900. N. D. p.258, 90
- 1193 Discharge. Appropriating \$1000 annually to prisoners' aid association. R. I. 761, 1 My
- 1194 Convict in state penitentiary whose term expires on Sunday shall be discharged preceding day. Va. 270, 3 F

**Convict labor**

- 1195 General. Governor to appoint commission of four to investigate methods of employing convict labor in Ohio; compensation \$10 per day and expenses. O. p.122, 11 Ap
- 1196 Special industries. Prohibiting manufacture of pearl buttons and butter tubs by inmates of penitentiaries. Ia. 138, 7 Ap
- 1197 Sale of goods. Extending '98 ch.334 relative to employment of prisoners in making goods for use of prisons and other public institutions to *all* state institutions and to *institutions of cities of 40,000*. Mass. 269, 26 Ap



- 1198 **County convicts.** In counties where convict can not be made to work out sentence as provided by law, he may be discharged 30 days after expiration on making affidavit of insolvency. Amending '96 ch.133 §2. **Miss.** 100, 10 Mr

## Insurance

(See also Taxation of insurance companies, 453)

### General—all classes

- 1199 **General and miscellaneous.** Insurance commissioner to revoke license of insolvent or fraudulently conducted company. Amending Code '95 §2048. **Ga.** p.45, 20 D 99
- 1200 Insurance commissioner to suspend license of company whose stock is impaired more than 20% and revoke license if not made good in 90 days. Amending Code '95 §2045. **Ga.** p.45, 20 D 99
- 1201 State treasurer to return to insurance company the excess of its deposits above amount required by law. **Ga.** p.54, 21 D 99
- 1202 Capital stock of insurance companies may be invested on real estate [formerly in this state]; repealing provision that market value of bonds and stocks must be 20% more than sum loaned thereon. Amending S.'94 §625. **Ky.** 15, 20 Mr
- 1203 Amending '98 ch.105 relative to payment of dividends by insurance companies; companies insuring marine and river risks on stock plan to have capital of \$100,000 [formerly \$200,000]; certain other companies, \$100,000 [formerly \$200,000]. **La.** 144, 12 Jl
- 1204 Life and accident insurance, guaranty, and fidelity companies may deposit as security first mortgage bonds of electric railways of state approved by board of public works. **Md.** 212, 5 Ap
- 1205 Insurance companies shall conduct business only under their own corporate name. **Md.** 744, 10 Ap
- 1206 Generally amending insurance laws; state insurance bureau created; governor made commissioner and may appoint deputy; powers; incorporation and regulation of companies. **Neb.** '99 ch.47. *Unconstitutional.* Fees required of companies in lieu of taxes are not imposed according to valuation as constitution requires. *State v. Poynter*, 81 N. W. 431.
- 1207 Number of directors of domestic insurance corporation may be reduced to minimum number of incorporators required. Amending '92 ch.690 §10. **N. Y.** 366, 10 Ap
- 1208 Only corporations formed under banking or insurance law may have word *trust, banking, assurance, guaranty, savings, investment* or *loan* as part of name. Amending '92 ch.687 §6. **N. Y.** 704, 30 Ap

- 1209 In disposing securities with treasurer to 5% of capital, insurance company may deposit bonds of certain cities; treasurer to collect tax of  $\frac{1}{10}$  of 1% on face value thereof. Amending Code '87 §1271. Va. 49, 13 Ja
- 1210 State department. Amending Code '97 §1720, relative to arrangement and printing of state auditor's insurance report. Ia. 62, 14 Mr
- 1211 State insurance commissioner to give \$50,000 [formerly \$20,000] bond. Amending Code '88 art.23 §121. Md. 700, 10 Ap
- 1212 Insurance commissioner to have printed 1500 copies of that part of his report relating to fraternal beneficiary corporations, 500 copies of part relating to "tests and tables." Amending '94 ch.393 §7. Mass. 386, 20 Je
- 1213 Insurance agents. Regulating commissions and premiums on policies; insurance policies to be signed by authorized resident officer. Md. 512, 7 Ap
- 1214 Defining insurance broker; license fees; sheriff's fee. Amending Code '88 art.23 §143A-D as amended by '94 ch.377 Md. 740, 10 Ap
- 1215 Foreign companies. Repealing Code '95 §2072-84, relating to brokers for foreign insurance companies. Ga. p.53, 15 N 99
- 1216 Regulating reincorporation of foreign moneyed corporations. N. Y. 733, 2 My
- 1217 Unlawful for insurance company to reinsure, cede, pool or divide risk with unauthorized foreign company; annual report. Amending R.S.'97 §2745a. O. p.299, 16 Ap

## Life and accident insurance

- 1218 General and miscellaneous. Providing for the separate incorporation and government of life insurance companies on stipulated premium plan. Amending Code '97 §1784. Ia. 65, 7 Ap
- 1219 Amending Code '97 §1806 as loans by a life insurance company on its own policies. Ia. 66, 7 Ap
- 1220 Life or health insurance companies *except those formed on mutual cooperative assessment or stock plan* to have guaranteed capital of \$100,000. Amending Code '88 art.23 §116. Md. 660, 10 Ap
- 1221 Companies may form with a minimum capital of \$200,000 to insure the health of persons. Amending '94 ch.522 §29, 31. Mass. 183, 28 Mr
- 1222 Amending life insurance law ('94 ch.522 §11, 75, 76) as to reserve liability, distribution of surplus, and forfeiture. Mass. 363, 1 Je
- 1223 Conditions on which life insurance companies may consolidate and reinsure. Amending R.S.'97 §3597. O. p.103, 6 Ap

## SUMMARY OF LEGISLATION, 1900

**Mutual insurance**

- 1224 **Assessment companies.** Mutual benefit societies may do insurance business in state without complying with law regarding foreign companies. Amending Code '92 §2323. Miss. 51, 10 Mr
- 1225 Exempting mutual assessment insurance companies from taxation. Miss. 53, 9 Mr
- 1226 Deposited securities may be returned to life insurance companies reincorporated on the assessment plan. N. J. 17, 6 Mr
- 1227 Certain requirements of life insurance companies not to apply to societies formed for mutual benefit of *blood relatives* exclusively; or for *purely charitable purposes*. Amending R.S.'97 §3631a, 3631, subdiv.23 and 3796a. O. p.354, 16 Ap
- 1228 **Fraternal beneficiary societies.** Fraternal beneficiary corporations of another state or of *Canada* may transact business in state. Amending '99 ch.442 §18. Mass. 185, 30 Mr
- 1229 Fraternal beneficiary societies may change their corporate name by two thirds vote of governing body; certificate thereof to be filed with secretary of state. N. J. 113, 23 Mr

**Fire and other casualty insurance**

- 1230 **State fire marshal.** Office of state fire marshal created; in connection with local authorities to investigate every fire; fire marshal or local authorities may enter building and order removal of combustible or inflammable materials. O. p.386, 16 Ap
- 1231 **Liability. Losses.** Amending Code '97 §1743 relative to stipulations of arbitration in policies of insurance. Ia. 63, 16 Ap
- 1232 Insurance company may not rebuild *where amount of loss upon request of company has been submitted to arbitration*. Amending Code '97 §1743. Ia. 64, 4 Ap
- 1233 Value of immovable property insured against fire to be assessed by insurer at issuance of policy; insurer to pay total loss or restore damaged property. La. 135, 11 Jl
- 1234 Unlawful to require larger amount of insurance than that expressed in policy or to require co-insurance. N. J. 136, 23 Mr
- 1235 Arbitrators to ascertain losses under policies of insurance shall be residents, and take oath that they are not employed by company. Va. 584, 5 Mr
- 1236 **Combinations.** Fire insurance companies to make annual affidavit before secretary of state that they have not combined to fix rates; secretary of state may investigate violations of law at company's expense. Companies may employ common agent to suggest improvements to lessen fire hazards. La. 110, 11 Jl

- 1237 Unlawful for fire insurance companies to combine *to control rates of commission to agents*. Amending R.S.'97 §3659. O. p.165, 14 Ap
- 1238 Forbidding combinations of fire insurance companies to regulate compensation of agents. Va. 680, 2 Mr
- 1239 **Miscellaneous.** Certain life insurance companies may insure against certain casualties. Amending Code '97 §1710. Ia. 61, 16 Ap
- 1240 Fire insurance companies may reserve as a permanent fund not more than 25% of their net profits, *if their business is confined to state; otherwise fund may equal minimum amount of net assets or capital required to do business*. Amending R.S.'97 §3648; '88 p.273. O. p.121, 10 Ap
- 1241 **Foreign companies. Reinsurance.** Foreign fire, marine and inland insurance companies to deposit with state treasurer \$10,000 [formerly \$25,000] bonds. Amending Code '95 §2035. Ga. p.45, 20 D 99
- 1242 Requiring foreign fire and marine insurance companies to do business through licensed resident agents; regulating reinsurance and reports. Miss. 74, 10 Mr
- 1243 Fire insurance policies of foreign companies to be countersigned by resident agents; annual returns to controller general of reinsurance. S. C. 221, 9 F
- 1244 **State insurance of public buildings.** After Jan. 1, 1901, all state and county public buildings except school houses to be insured through an insurance sinking fund; each county and the state to pay annually into sinking fund one half of amount now paid in premiums until fund reaches \$200,000; insurance to cover three fourths value. S. C. 222, 19 F
- 1245 **Burglary. Loss in transportation.** Companies may form to insure banks, loan and trust companies and county treasurers against burglary and loss of moneys in transportation. Amending Code '97 §1709. Ia. 60, 2 Ap
- 1246 Companies may form to insure against loss by burglary, theft or housebreaking. Amending '96 ch.447 §1. Mass. 92, 6 F
- 1247 Mutual companies may be organized to insure banking, loan and trust companies and city and county treasurers against loss by burglary or robbery or in course of transportation; regulations. O. p.350, 16 Ap

#### Surety and guaranty companies

(See also Suretyship, 565; Fiduciaries, 559; also bonds of various public officers under specific heads)

- 1248 State treasurer to return to fidelity and surety companies the excess of their deposits above amount required by law. Ga. p.54, 21 D 99

- 1249 Title guaranty corporation may have capital of *two* [formerly one] million dollars. Amending '92 ch.690 §170. **N. Y.** 266, 2 Ap
- 1250 Signature of surety corporations by authorized agent and without corporate seal valid. **Va.** 98, 22 Ja

## Transportation. Communication

(See also Taxation, 357; Corporations, 271)

### Railways. Common carriers

- 1251 **Railroad commissioners.** Creating court of visitation with three elective judges; may fix rates, prescribe equipment and service, decide complaints and appoint receiver for road failing to comply with its decree; in case of strike which appears just court may order road to resume operations and on failure, appoint receiver therefor. **Kan.** '98 ch.28. *Unconstitutional.* Powers conferred on court are legislative, executive, and judicial so interwoven as to violate constitutional requirement that three departments of government shall be exercised independently. *State v. Johnson*, 60 P. 1068.
- 1252 Orders and processes of state railroad commission to be served and enforced by sheriffs same as in civil proceedings before courts. **La.** 16, 27 Je
- 1253 Salary of chairman of board of railroad commissioners \$5000 [formerly \$4000]; other commissioners each \$4000 [formerly \$3500]. Amending P.S.'82 ch.112 §10. **Mass.** 406, 27 Je
- 1254 Salary of railroad commissioner \$2500 [formerly \$1000]; deputy, \$500; salary and expenses of commissioner, not exceeding \$4000, to be borne by railroad corporations. Amending G.L.'96 ch. 294 as amended by '99 ch.679. **R. I.** 754, 4 My
- 1255 **Mortgages.** Mortgages of railroad corporations except for purchase money require consent of railroad commissioners and stockholders owning two thirds of stock. Amending '90 ch.565 §4 subdiv.10. **N. Y.** 482, 17 Ap
- 1256 **Consolidation. Sale. Lease.** Railroad companies leasing property or line of road shall have the contract recorded in superior court of each county through which road runs. **Ga.** p.54, 20 D 99
- 1257 Railroad companies may acquire and dispose of securities of other transportation companies. **Md.** 217, 5 Ap
- 1258 Railroad corporations may acquire property and rights of other railroad companies; method of acquisition. **N. J.** 46, 19 Mr
- 1259 Railroad and bridge corporations may be merged where railroad has contract to run cars over bridge. Amending '96 ch.932. **N. Y.** 476, 17 Ap

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- 1260 **Location. Right of way.** For what purposes railway companies may condemn additional land. Amending Code '97 §1998. **Ia.** 70, 3 Ap
- 1261 Domestic railroad company may buy school, university or asylum lands of state. **Tex.** 9, 22 F
- 1262 **Bridges.** Repealing '90 ch.565 §49 subdiv.3 requiring guard posts in line of bridge trusses. **N. Y.** 740, 2 My

**Freight traffic**

- 1263 **Rates.** Railroad commission to investigate and fix rates of companies accused of extortion; circuit courts to have jurisdiction. **Ky.** 2, 10 Mr
- 1264 Amending R.S.'97 §3376 as to method of recovering for over-charged railway rates. **O.** p.220, 14 Ap
- 1265 **Shipment of stock.** Requiring railroad companies to pass shipper with car load of live stock, and one additional person for each three cars. **Kan.** '97 ch.167. *Unconstitutional.* Takes property without due process of law. *Atchison, T. and S. F. ry. co. v. Campbell*, 59 P. 1051.
- 1266 **Track connections.** Two or more railroads in any city or town to connect their tracks and transfer cars; railroad commissioners may suspend act in certain cases. **S. C.** 218, 19 F
- 1267 Railway company may at its own expense connect its tracks with those of an adjoining railway. **Va.** 880, 6 Mr

**Passenger traffic**

- 1268 **Tickets. Passes. Rates.** Common carriers shall redeem unused tickets. **Ia.** 71, 4 Ap
- 1269 Unlawful to transport persons free or by passes for purpose of intimidating officers. **Ky.** 3, 15 Mr
- 1270 Repealing provisions of '83 ch.32 §2 requiring certificate for rebate for excess fare paid on train to be presented in 10 days. **Mass.** 154, 16 Mr
- 1271 Workingmen's trains to be furnished by railroad companies in Boston on petition; fares fixed. **Mass.** 298, 4 My
- 1272 Railroads to furnish commutation tickets at fixed rate between Boston and suburban district; exceptions. **Mass.** 395, 25 Je
- 1273 Requiring railroads to issue 1000 mile books at reduced rate. **N. Y.** '95 ch.1027. *Unconstitutional.* Takes property without due process of law. *Beardsley v. New York, L. E. and W. ry. co.* 162 N. Y. 230.
- 1274 **Race distinctions.** Railroad companies to keep white and colored passengers on sleeping cars separated. **Ga.** p.66, 20 D 99
- 1275 Railroad companies to provide separate coaches [formerly or separate apartments in coaches] for white and colored passengers. Amending '98 ch.483. **S. C.** 262, 19 F

- 1276** Requiring separate cars for white and colored passengers. Va. 226, 30 Ja
- 1277** **Stations.** Railroad companies to provide suitable waiting rooms at every regular station. O. p.231, 16 Ap
- 1278** Railroad stations not to be abandoned except by permission of *railroad commissioners* [formerly general assembly]. Amending G.L.'96 ch.187 §29. R. I. 741, 3 My
- 1279** **Bicycles.** Bicycles to be transported as baggage; one for each passenger; crating not required. Mass. 318, 16 My

**Tracks—maintenance and safety.** (From standpoint of safeguarding)

- 1280** **Railroad crossings.** Railroads built to reach mineral or timber lands may cross other railroads; regulations. Amending Code '95 §2219. Ga. p.31, 22 N 99
- 1281** Claim for damages to property because of change in railroad crossing must be filed within six months. Amending '90 ch.565 §65; '97 ch.754. N. Y. 517, 19 Ap
- 1282** When railroad built across another, board of railroad commissioners to determine whether crossing shall be above, below, or at grade. Amending '90 ch.565 §68. N. Y. 739, 2 My
- 1283** Commissioner of railroads may allow bridges over railroad tracks to be less than required hight. Amending R.S.'97 §3337 subdiv.18. O. p.297, 16 Ap
- 1284** **Highway crossings.** Expense for relocating or changing streams and water courses in alterations of grade crossings to be primarily paid by city or town. Amending '90 ch.428 §5. Mass. 463, 16 JI
- 1285** Cities contracting with railroad companies concerning grades and tracks may levy general tax or issue 40 year, 5% bonds. N. J. 123, 23 Mr
- 1286** *Flagmen or gates or other precautionary measures* to be placed at highway crossings. Amending G.L.'96 ch.187 §47. R. I. 784, 31 My
- 1287** Private manufacturing or mining corporation may construct railway across highway according to regulations of county court. Va. 586, 5 Mr
- 1288** **Railroad fencing. Killing stock.** Laws governing construction of farm fences to apply to required railroad fences. Amending S.'94 §1795. Ky. 11, 17 Mr
- 1289** Attorney fee may be taxed in favor of plaintiff on recovering judgment against railroad for injury to stock due to company's negligence. *Mo. R.S.'89 §2612. Unconstitutional; discriminates against companies, depriving them of privileges or immunities and denying them equal protection. Paddock v. Missouri Pac. ry. co., 56 S. W. 453.*

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- 1290 Railroad company may be compelled to keep fence; may erect gates in addition to cattle guards at private crossing. Amending Code §1258. Va. 373, 15 F

- 1291 Misdemeanor to injure railroad fence or cattle stop. Va. 545, 26 F

**Trains—management and safety.** (From standpoint of safe guarding)

- 1292 Obstruction. Injury to equipment. Felony to shoot firearms or hurl missiles at trains. Miss. 103, 10 Mr

- 1293 Disorderly conduct to throw or shoot at cars, interfere with tracks or throw coal from coal car. N. J. 158, 23 Mr

- 1294 Stealing ride. Forbidding trespassers on train jumping on or off. Va. 710, 3 Mr

- 1295 Forbidding trespassing on trains. Va. 745, 3 Mr

- 1296 Brakes. Couplers. After Jan. 1, 1901 [formerly 1903] unlawful for railroad company to run freight train [formerly any car] not sufficiently equipped with air brakes to enable engineer to control speed; state board may extend time to Jan. 1, 1902. Amending '93 ch. 543. N. Y. 549, 20 Ap

- 1297 Cars to be equipped with automatic couplers and air brakes by Aug. 1, 1900 [formerly Jan. 1, 1900]. Amending '98 p.287. O. p.25, 27 F

- 1298 Miscellaneous. Passenger, baggage, mail and express cars to have platform gates. Mass. 223, 12 Ap

- 1299 Misdemeanor to obstruct farmer or highway crossing with train for more than five minutes. Amending Pen. C. §421. N. Y. 759, 4 My

- 1300 Operation of double header trains placed under jurisdiction of state railroad commission. Tex. 4, 20 F

**Employees**

- 1301 Corporations carrying passengers or freight shall not require bonds of employees; employees having custody of money excepted. Mass. 282, 2 My

- 1302 Railroad companies required to provide warning signals at approach of overhead bridge. Va. 328, 14 F

**Rapid transit. Street railways**

- 1303 Franchises. Location of tracks. (See also Taxation—transportation corporations, 457) Street railway companies may agree to share cost of widening county roads. N. J. 58, 20 Mr

- 1304 When street railroad corporation has filed statement of extensions not more than one half mile from and parallel with route specified in original certificate, or of agreement with connecting company and has built and operated such road for four years, it may declare unconstructed route abandoned; corporate rights continue same as if certificate of incorporation had described constructed route. Amending G. L. '90 ch.565 §106. N. Y. 198, 23 Mr



- 1305 Any [formerly lessee or lessor of route of another corporation] street railroad corporation may declare any portion of its route abandoned. Amending '90 ch.565 §103. N. Y. 478, 17 Ap
- 1306 **Consolidation.** Street railway companies owning adjacent or adjoining lines may be merged by unanimous vote of each board of directors; certificate to be filed with secretary of state; may provide for limited existence. N. J. 138, 23 Mr
- 1307 **Fares.** Street or elevated railways to transport scholars to and from school at half fare; tickets to be sold in lots of 10 each: Boston elevated railway company exempt. Mass. 197, 4 Ap
- 1308 **Employees.** Platforms of street cars to be enclosed Dec. 1 to March 31 for protection of employees. Mass. 414, 27 Je
- 1309 **Miscellaneous powers. Regulations.** Receivers of street railway companies may by order of court sell road and property; duties of purchasers. Mass. 381, 15 Je
- 1310 Money deposited with state treasurer by street railway companies as condition to commencing business shall be refunded if franchise is not secured. Amending '93 ch.172 §12. N. J. 187, 23 Mr
- 1311 City councils of Cincinnati, Cleveland, Columbus, and Dayton may require conductors on all street cars. O. p.22, 27 F
- 1312 Street railway corporations may supply light, power, and heat by means of electricity and gas for their own use or for sale. Amending '99 ch.41 §8. S. C. 217, 17 F

Other forms of transportation

Telegraph and telephone

- 1313 Telegraph companies may purchase property and franchises of like corporations *at sale or under decree of court or under execution.* Amending Code '88 art.23 §27. Md. 267, 7 Ap
- 1314 Penalty for divulging telegraph or telephone messages three months imprisonment or \$500 fine *or both.* Amending Code '88 art.27 §252. Md. 610, 10 Ap
- 1315 Amending G.S.'94 p.3457 relative to incorporation of telegraph companies, election of officers, number of telegraph offices and erection of poles. Repealing G.S.'94 p.3457 §2 providing that building of telegraph line may be begun when one third of capital stock has been subscribed. N. J. 50, 19 Mr
- 1316 In condemnation proceedings for telegraph or telephone poles and wires when award is less than \$50 costs shall be in discretion of court. Amending C.C.P. §3379. N. Y. 774, 5 My
- 1317 Telegraph companies may not contract against their own negligence in transmitting messages. Va. 346, 14 F
- 1318 Special damages may be recovered against telegraph companies for error or failure in delivery, or disclosure of dispatch. Va. 689, 2 Mr

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- 1319 Requiring telegraph and telephone companies to deliver, or forward messages. Amending Code '87 §1292. Va. 898, 6 Mr
- 1320 Telegraph or telephone company may construct its line across railroad, canal, turnpike, county road, or wires of any company without injury to property crossed. Va. 966, 7 Mr

**Navigation. Water ways**

- 1321 Improvement of water ways. Commissioner of public works and board of auditors authorized to perform additional work on navigable waters of the state. Amending '97 ch.114.  
Cal. 13, 9 F
- 1322 Harbor and land commissioners to expend not exceeding \$25,000 for survey, improvement and repair of harbors and rivers; \$15,000 of this for dredging Boston harbor. Mass. 309, 9 My
- 1323 Harbors. Wharves. Amending P.C.'97 §2524 relative to powers and duties of state harbor commissioners. Cal. 7, 8 F
- 1324 State harbor commissioners may enter into contract requiring estimated revenue for *five* [formerly one] years; may lease new wharves to pay for their construction; leases to be made upon competitive bids. Amending P.C.'97 §2527. Cal. 11, 9 F
- 1325 Canals. Ferries. Misdemeanor to interfere with canal.  
Ia. 24, 28 Je
- 1326 Misdemeanor to fail to post rates of ferriage; [formerly forfeit \$50 for each day's neglect to post]. Amending '90 ch.568 §174.  
N. Y. 313, 6 Ap
- 1327 State engineer to make estimates for improving Erie, Champlain, and Oswego canals; report to governor Jan. 15, 1901; \$200,000 appropriated. N. Y. 411, 12 Ap
- 1328 Canal board with consent of superintendent of public works may allow use of state lands adjoining reservoirs as pleasure resorts. Amending '94 ch.338 §11. N. Y. 522, 19 Ap
- 1329 Transferring part of Wabash and Erie canal to owners of land abutting [formerly to commissioners of Paulding county]. Amending '91 p.72 §2. O. p.172, 14 Ap
- 1330 Governor to appoint two canal commissioners to serve two years and complete the work of former commission. O. p.298, 16 Ap
- 1331 Steamboats. Steamboat owners who provide place of safe deposit are not liable for loss of property not deposited with them by passengers. Amending Code '97. Ia. 120, 5 Ap
- 1332 Requiring separate steamboat accommodations for white and colored passengers. Va. 312, 9 F

## Public health and safety

### General supervision

(See also Domestic animals, 1488; Dairy products, 1506; Pollution of water, 952; Sewerage, 960)

- 1333 Revision of health law. State board of seven members appointed by governor for four years; judges of city and county courts to appoint local boards. State board may annul regulations of local boards; if local boards are not established, state board may appoint; on request of physician state board shall examine products of contagious disease; state board may require local boards to report vital statistics. Va. 1146, 7 Mr

### Health boards

- 1334 State boards. Dividing the state by counties into eight health districts; seven of which to be represented on state board of health. Amending Code '97 §2564. Ia. 88, 16 Ap
- 1335 Appropriating \$5000 [formerly \$2500] annually for state board of health; public printing not to be paid from this amount. Amending S.'94 ch.63 §2054. Ky. 4, 12 Mr
- 1336 Revision of law relative to quarantine and health officer at the port of New York. N. Y. 268, 2 Ap
- 1337 Amending 86, p.77 as to number of meetings of board of health. O. p.46, 21 Mr
- 1338 Local boards. Members of parish and municipal boards of health shall have been one [formerly five] year residents of parish. Amending '98 ch.192 §6. La. 44, 5 J1

### Vital statistics

- 1339 Physicians and midwives to report births and deaths quarterly to parish health officers, who shall report quarterly to state board of health. La. 162, 12 J1
- 1340 Sub-registers of vital statistics to be appointed by local register [formerly all physicians sub-registers]; permits required for interment; fees of local register. Amending '98 ch.312 §6B, 6E, 6K. Md. 431, 7 Ap
- 1341 Amending '88 ch.39 §15 relating to recovery of penalties under act to secure certification of marriages, births and deaths. N. J. 4, 28 F

### Sanitation. Nuisances. Miscellaneous

- 1342 Dead bodies. Unlawful to transport bodies dead of small-pox, Asiatic cholera, yellow fever, typhus fever or bubonic plague unless licensed by state board of health and inclosed in sealed caskets; other bodies to have transit permit and certificate of death; report to state bureau of vital statistics. N. J. 156, 23 Mr

- 1343 Regulating transportation of bodies dead from contagious or infectious diseases; state board of health to issue license to embalmers. Amending R.S.'93 §967. S. C. 224, 19 F
- 1344 Regulating transportation of bodies dead of contagious diseases. Va. 393, 17 F
- 1345 Embalmers. Establishing state board of embalmers to examine and license embalmers; registration; annual fees; penalty for unlawful practice \$50 to \$100. Ga. p.70, 20 D 99
- 1346 Tenements. Governor to appoint tenement house commission to investigate tenement houses in cities of 250,000, and report to next legislature; commissioners to receive no salary; \$10,000 for expenses. N. Y. 279, 4 Ap

### Contagious diseases

(See also Domestic animals—contagious diseases, 1483)

- 1347 General regulations. Township assessors to report infectious and contagious diseases to secretary of state board of health. S. C. 247, 17 F
- 1348 Expense. Board of supervisors may pay for isolation and disinfection in cases of contagious and infectious diseases. Miss. 123, 12 Mr
- 1349 Quarantine. General quarantine law to prevent introduction of disease by maritime vessels and traffic. N. J. 69, 21 Mr
- 1350 Vaccination. Boards of supervisors may establish compulsory vaccination. Miss. 108, 8 F
- 1351 Hospitals. Teachers in public schools to keep record of pupils vaccinated; provisions for vaccination. Amending Code '88 art.43 §31. Md. 337, 5 Ap
- 1352 For erecting hospitals for contagious diseases cities may make appropriations proportionate to population; may issue 20 to 30 year, 4% bonds; sinking fund. N. J. 132, 23 Mr
- 1353 Tuberculosis hospitals. Name of state hospital for consumptives changed to state sanatorium. Mass. 192, 3 Ap
- 1354 \$50,000 appropriated to establish pulmonary tuberculosis hospital in Adirondacks; governor to appoint board of trustees, five members, term five years, without salary; board to appoint superintendent and treasurer, and physicians in each city to examine patients applying for admission. N. Y. 416, 12 Ap

### Practice of medicine and surgery

(See also Medical schools, 144; Veterinary practice, 1494)

#### Medicine

- 1355 Requiring graduates of all medical colleges to be examined by state board before practicing medicine; examinations to be given at the various medical colleges; fee \$10 [formerly \$20]. Amending Code '97 §2576, 2582. Ia. 89, 24 F

- 1356** Secretary of state board of medical examiners to receive \$25 per month and expenses. Amending Code '97 §2583. Ia. 90, 4 Ap
- 1357** Candidates for certificate to practice medicine to pass examination of state board [formerly certificate granted on proof of diploma from approved school]: conditions of admission to examination; defining practice of medicine. Amending R.S. '97 §4403c, 4403f. O. p.197, 14 Ap
- 1358** Creating state board of homoeopathic medical examiners; powers and duties same as those of regular state board. Amending R.S.'93 §970. S. C. 232, 19 F
- 1359** Revision of law regulating practice of medicine. State board of medical examiners; after July 1, 1900, candidate for examination must have diploma of approved medical school; board may in lieu of examination accept diploma and examination certificate of other state. Va. 1148, 7 Mr

**Dentistry**

- 1360** Revising practice of dentistry law (Code '97 t.12 ch.19). All applicants must be graduates of approved dental school and must pass examination; license fee \$20 [formerly \$15]. Ia. 91, 16 Ap
- 1361** Creating state board of dentistry of five members appointed by governor; term seven years; \$10 per day; unlawful to practice dentistry without recorded certificate from board. [Formerly board of examining dentists and registration with state board of health]. La. 88, 3 Jl
- 1362** Requiring dentists and dentistry firms to keep certificates of license and full names conspicuously posted and defining the practice of dentistry. Amending '87 ch.137 §4, 8. Mass. 294, 4 My

**Pharmacy. Sale of drugs. (See also Local option, 19)**

- 1363** Regulating practice. On death or incapacity of registered pharmacist his business may be continued by his widow, executor or administrator under a registered pharmacist. Amending '96 ch.397 §18. Mass. 317, 16 My
- 1364** Revision of pharmacy law. State board of 15 members elected by societies and licensed pharmacists; regulation of practice; adulteration of drugs; sale of poisons; employees. N. Y. 667, 25 Ap
- 1365** Amending R.S.'97 §4405 as to what drugs may be retailed by persons not registered as pharmacists. O. p.84, 29 Mr
- 1366** Law requiring registered pharmacists in drug stores does not apply to manufacture and sale of patent medicines; in towns under 1500 physician of five years practice may act as pharmacist without examination. Amending Code '87 §1759. Va. 772, 5 Mr

- 1367 **Sale of drugs.** Druggists shall not sell cocaine except to physicians and dentists or on prescriptions of physicians to be filled but once. **Miss.** 107, 5 F

**Food. Drugs. Adulteration**

(See also Dairy products, 1506)

- 1368 **General.** Generally amending '98 ch.52 relating to manufacture and sale of food. **Ky.** 13, 17 Mr
- 1369 **Food commission created; governor made commissioner; may appoint deputy; to test butter, cheese, milk, cider, vinegar, etc.; monthly reports from manufacturers; fees.** **Neb.**'99 ch.35. *Partly unconstitutional.* Section providing salary of deputy commissioner violates constitution which requires bills appropriating money for state officers' salaries to contain no other provisions. *State v. Cornell*, 83 N. W. 72.
- 1370 **Pure food law.** No misbranded or adulterated foods to be sold; mixed or blended foods to be labeled; board of agriculture to make analysis and report violations of law to prosecuting officers. **Va.** 655, 27 F
- 1371 **Miscellaneous.** Unlawful to sell calf under three weeks old to be butchered. **Md.** 672, 10 Ap
- 1372 **Defining maple sugar and maple syrup; standard weight; adulteration prohibited.** **O.** p.316, 16 Ap
- 1373 **Sale of wine restricted to pure juice of grape cultivated in state.** **O.**'88 p.55 §2. *Unconstitutional.* Discriminates in favor of a class. *Stevens v. State*, 56 N. E. 478.

**Public safety****Explosive substances**

- 1374 **Manufacture of explosives in buildings occupied by families forbidden.** Amending Pen.C. §389. **N. Y.** 494, 18 Ap
- 1375 **Unlawful to manufacture or store nitroglycerine within 80 [formerly 160] rods of occupied building, or without giving \$5000 bond.** Amending R.S.'97 §6953. **O.** p.296, 16 Ap
- 1376 **Illuminating oils. Gases.** Commissioner of agriculture to appoint state inspector of oils; duties; salary \$100 per month and traveling expenses; method for testing oils. **Ga.** p.75, 20 D 99
- 1377 **Lamps for the lighter products of petroleum, manufactured or sold for use of public, to be approved by state board of health.** Amending Code '97 §2508. **Ia.** 83, 7 Ap
- 1378 **Unlawful to use gasoline, benzine, naphtha or other explosive and dangerous fluids in dye works, pantorium or cleaning works in building used for residence or lodging.** **Ia.** 130, 4 Ap

**1379** Prohibiting illumination with petroleum products emitting gas below 105° F except when used in Welsbach lamp or when generated outside building. *Ia.* Code '97 §2508. *Partly unconstitutional.* Discriminating against lamps similar to Welsbach and abridges privileges and immunities of citizens. *State v. Santee*, 82 N.W. 445.

**1380** Amending '77 ch.37 §6 relative to sale of oil and marking it as explosive and dangerous; oil in bulk in towns and parishes not to be opened before inspection by state board of health.

*La.* 123, 11 JI

#### **Boilers. Engines**

**1381** Abolishing transfer of special licenses of engineers and firemen; examination for special license to be granted only on request signed by owner or user of plant. Amending '99 ch.368 §4.

*Mass.* 201, 4 Ap

**1382** Unlawful to operate steam boilers or engines of 35 horse power other than locomotive, without state license; governor to appoint chief examiner, and six district examiners. Repealing '85, p.13, authorizing cities and villages to provide for licensing.

*O.* p.33, 1 Mr

**1383** Steam boilers to have low-water alarms; enforcement vested in inspector of workshops.

*O.* p.341, 16 Ap

**1384** **Steamboats. Vessels.** *Boats other than row-boats* [formerly sail and steamboats] to carry certificates of inspection. Amending Code '97 §2512, 2513, 2514.

*Ia.* 84, 29 Mr

#### **Buildings. Fire protection**

**1385** **Building inspection.** Appeal from order of inspector of factories and public buildings as to ventilation or sanitation of public buildings and schoolhouses may be made to state board of health. Amending '94 ch.508 §42.

*Mass.* 239, 17 Ap

**1386** **Fire protection. Escapes.** Rooms above second story in public buildings, hotels, factories, etc. shall, if inspector so directs, have more than one exit, by stairways or *other way approved by inspector*. Amending '94 ch.481 §24; '92 ch.419 §82.

*Mass.* 335, 23 My

**1387** Commissioners governing municipalities may pass ordinances prohibiting erection of buildings of wood or other combustible material and regulating construction of fire escapes.

*N. J.* 119, 23 Mr

#### **Miscellaneous**

**1388** Unlawful to make or sell woven fabrics or paper containing arsenic; dress goods with not more than one one-hundredth grain and other materials with not more than one tenth grain of arsenic per sq. yard excepted; state board of health to enforce.

*Mass.* 325, 18 My

- 1389 Safety lines, life-boat and bathing master to be maintained on seashore bathing grounds. N. J. 174, 23 Mr
- 1390 Misdemeanor to sell *or give away* air or spring-gun to person under 12; or toy-pistol using loaded or blank cartridges to person under 16. Amending Pen.C. §409. N. Y. 222, 23 Mr
- 1391 Cities, villages, and towns may provide life-saving apparatus and stations. N. Y. 342, 9 Ap
- 1392 Ice cuttings must be surrounded with fences or guards of boards [formerly bushes] or other material sufficient to form an obstruction. Amending Pen.C. §429. N. Y. 584, 23 Ap

## Trade. Industries. Mining

(See also Trusts and combinations, 332)

### Domestic trade. Weights and measures

(See also Corporations, 271; Business taxes, 467; Negotiable instruments, 552)

#### Warehouses. Commission merchants

- 1393 Any warehouse may become a bonded public warehouse by filing bond with clerk of superior court in amount equal to estimated capacity of warehouse and may issue negotiable warehouse receipts on cotton and other merchandise stored. Ga. p.84, 16 D 99
- 1394 Licensing and regulating commission merchants; creating board of inspectors composed of members from organizations allied to produce commission business. Ill. '99 p.364. *Partly unconstitutional*. Legislature has no power to create such board under clause forbidding special privileges. Lasher v. People, 55 N. E. 663.
- 1395 Persons selling agricultural produce to include in accounts of sales name of buyer, date, classification of produce and name of classifier. La. 99, 10 J1
- 1396 Chief inspector of tobacco to appoint chief clerk; deputy inspectors and other officers; salaries; chief inspector to pay surplus annually to controller. Amending Code '88 art.48 §11, 14 as amended by '98 ch.314. Md. 231, 5 Ap
- 1397 Providing for weighing leaf tobacco in warehouses. Va. 901, 6 Mr

#### Weights and measures

- 1398 General. Fixing pounds per bushel of 33 products. Amending Code '92 §4477. Miss. 78, 12 Mr
- 1399 Fixing legal weight of 46 commodities. R. I. 758, 4 My
- 1400 Special commodities. Standard log measurement to be by Doyle's rule. La. 147, 12 J1
- 1401 Fixing dimensions of apple barrels. Md. 373, 7 Ap
- 1402 Regulating size of berry baskets. Mass. 339, 23 My



- 1403 Net ton of coal to weigh 2000 pounds, gross ton 2240; regulations to protect purchasers of coal. N. J. 13, 5 Mr
- 1404 Weight of bushel of bolted cornmeal 46 pounds; unbolted 48. S. C. 240, 17 F
- 1405 Prescribing weight of bushel and barrel of apples, and size of barrel for packing. Va. 293, 9 F

**Trade marks. Union labels. Marked packages**

- 1406 Amending R.S.'97 §4364-49 to 4364-53 as to counterfeiting label, trade mark or other device of an association; penalty; filing label; penalty for false registration \$200. O. p.169, 14 Ap
- 1407 Trade marks, labels etc. of persons and associations to be filed with secretary of state; penalty for counterfeiting or imitating. B. I. 735, 12 Ap
- 1408 Bottles, barrels etc. Verbal amendment to '98 ch.154 relating to protection of owner's rights in marked bottles, boxes, etc. N. J. 59, 20 Mr
- 1409 Amending '90 ch.71 relative to protection of owners of marked bottles, boxes etc. Va. 1141, 7 Mr

**Miscellaneous**

- 1410 Department stores. Classifying merchandise in 73 classes and 28 groups and prohibiting sale of more than one group in cities of 50,000 except on \$300 to \$500 license for each additional group or class; establishments employing not more than 15 persons exempt. Mo.'99 p.72. *Unconstitutional*. Taxes must be uniform; legislature shall not tax for city purposes, nor deprive of liberty without due process of law. State v. Ashbrook, 55 S. W. 627.
- 1411 Trading stamps. Prohibiting issue of trading stamps or other similar devices. La. 35, 3 JI
- 1412 Forbidding trading stamps. Amending Pen.C. t.11. N.Y. 768, 5 My
- 1413 Prohibiting trading stamps. B. I.'99 ch.652. *Unconstitutional*. Transaction not a lottery; not a valid exercise of police power; deprives citizens of liberty and abridges privileges and immunities. State v. Dalton, 46 A. 234.
- 1414 Hawkers and peddlers. Persons peddling outside of city limits to have license [formerly certificate]. Amending Code '97 §1348. Ia. 46, 6 Ap
- 1415 Peddlers outside city or town to secure license; veterans excepted. Ia. Code '97 §1347. *Unconstitutional*. Class legislation. State v. Garbroski, 82 N. W. 959.
- 1416 Municipalities of 50,000 may regulate peddling of market produce. La. 22, 28 Je

- 1417 Hawking and peddling to be defined and regulated by police juries. **La.** 128, 11 JI
- 1418 Cities and towns may regulate hawkers and peddlers. Amending '83 168 and P.S. ch.88 §1. **Mass.** 157, 16 Mr
- 1419 Persons keeping regular place of business and selling also through agents who deliver at time of sale are peddlers and must be licensed; peddlers of perishable goods excepted. Amending '98 ch.201. **Va.** 767, 5 Mr
- 1420 Pawnbrokers. Secondhand dealers. Peddlers on filing description of property with mayor, exempted from requirement to retain second-hand articles 30 days before selling. Amending R.S.'97 §4413. **O.** p.113, 10 Ap
- 1421 Pawnbrokers to pay license; charges, regulations; records of goods pawned to be kept and to be open to inspection of certain officials. **S. C.** 236, 13 F

## Arts. Industries

- 1422 Paris exposition. Paris exposition commission may appoint secretary at compensation not exceeding \$5000 [formerly \$2500]; \$40,000 for expenses, \$10,000 for educational exhibit, and \$10,000 for Lafayette memorial fund. Amending '98 ch.176 §4. **N. Y.** 11, 9 F
- 1423 Louisiana purchase centennial. Submitting constitutional amendment; St Louis may issue bonds for \$5,000,000 to aid Louisiana purchase centennial; conditions. Adopted November 1900. **Mo.** p.384, 99
- 1424 Submitting constitutional amendment to authorize appropriation from sinking fund for state exhibit at Louisiana purchase centennial. Adopted November 1900. **Mo.** p.385 99
- 1425 Pan-American exposition. \$100,000 [formerly \$50,000] for building at Pan-American exposition; city of Buffalo and Buffalo historical society may appropriate \$25,000 each therefor; state board of managers may convey building to said society. Amending '99 ch.36 §8. **N. Y.** 230, 26 Mr
- 1426 Governor to appoint three commissioners to erect state building on grounds of Pan-American exposition, \$25,000 for building; \$5000 for expenses of commission. **O.** p.167, 14 Ap
- 1427 Five commissioners to be appointed by governor to prepare state exhibit at Pan-American exposition; serve without compensation; executive superintendent to be appointed by governor; duties and salary; \$5000 appropriated. **R. I.** 793, 13 Je
- 1428 Exemption. Mills, buildings, and other property used in manufacture of sugar to be exempt from taxation till Jan. 1, 1910. **Ia.** 40, 6 Ap

- 1429 Five years exemption from taxation for new enterprises established before 1910. **Miss.** 48, 6 Mr
- 1430 **Accountants.** Certified public accountants to have certificate from governor; board of four examiners to be appointed by governor; term two years; annual examinations; fee. **Md.** 719, 10 Ap
- 1431 **Inns.** Amending posting of notice by innkeeper to avoid liability for loss of property. **R.S.**'97 §4427; '96 p.322. **O.** p.16, 20 F
- 1432 **Linen goods.** Misdemeanor to mark collars and cuffs "linen" unless one ply with flax thread in warp and filling. **N. Y.** 586, 23 Ap
- 1433 **Silverware.** Articles stamped "sterling silver" to contain 92½% pure silver; "coin silver," 90%. **Md.** 398, 7 Ap

### Mines and mining

- 1434 **Corporations.** Only bona fide owner of mining stock to vote in election of directors of corporation. **Cal.**'80 ch.118. *Unconstitutional.* Legislature shall not pass special law when general will apply. *Krause v. Durbrow*, 60 P. 438.
- 1435 Requiring mining corporations to post monthly statement of condition. **Cal.**'97 ch.154. *Unconstitutional.* Only domestic corporations are included in title. *Johnson v. Tautphaus*, 60 P. 172.
- 1436 **Mining claims.** Repealing '97 ch.159, relating to manner of locating mining claims upon public domain of United States. **Cal.** 6, 8 F
- 1437 **Ores.** Purchasers of crude gold to keep records and make annual reports to county ordinary, who shall make returns to state geologist. **Ga.** p.66, 20 D 99
- 1438 **Inspection. Regulation.** Miner's death or injury in mine where manager has no certificate of competency as provided in act; a cause of action. **Ill.**'91 p.168 §5. *Unconstitutional.* Treats of matter not included in title. *Woodruff v. Kellyville coal co.*, 55 N. E. 55 0.
- 1439 Salary of mine inspectors \$1500 [formerly \$1200]; traveling expenses \$750 [formerly \$500]. Amending Code '97 §2483. **Ia.** 79, 7 Ap
- 1440 Mine formen, pit bosses and hoisting engineers to be examined and to hold certificates of competency. Amending Code '97 ch.9 t.12. **Ia.** 82, 23 Mr
- 1441 Prohibiting employment in mines of children under 15 years during school term and children under 14 during vacation of schools. Amending P.S.'97 §302. **O.** p.181, 14 Ap
- 1442 **Wages.** Amending Code '97 §2490 relative to semi-monthly payment of coal miners. **Ia.** 81, 29 Mr

- 1443 **Weighing.** Miners not to demand payment for slack found with coal. Amending Code '97 §2490. **Ia.** 80, 23 Mr

**Petroleum. Gas**

- 1444 Oil or gas companies may condemn land for pipe lines. **Ky.** 17, 20 Mr
- 1445 Amending '98 p.237 §4 relating to method of sealing abandoned gas or oil wells. **O.** p.379, 16 Ap
- 1446 License to be obtained from chief inspector of mines before drilling gas or oil well on land underlaid with mineral stone coal. Amending '98 p.237 §5. **O.** p.379, 16 Ap

**Phosphate**

- 1447 Failure to return boat, flat or tool used for mining phosphate, within two days after notice, a misdemeanor. **S. C.** 249, 17 F

## Agriculture

### General. Commissions. Associations

**State supervision and encouragement.** (*See also* Agricultural college, 139; Warehouses, 1398; Weights and measures, 1398)

- 1448 **Department.** Creating a department of agriculture; to embrace agricultural societies, state weather and crop service and offices of dairy commissioner and state veterinarian; to be managed by a board styled "the state board of agriculture" consisting of president of state agricultural college, dairy commissioner, veterinarian and also a president and vice president and one member from each congressional district elected at an annual agricultural convention composed of the board and of delegates from the agricultural societies. Board to have general supervision of agricultural interests and to hold state farmers' institute and state fair. **Ia.** 58, 21 Mr
- 1449 State tax assessors to collect and furnish agricultural information to state commissioner of agriculture and immigration; publication and exchange of reports. **La.** 42, 5 Jl
- 1450 Establishing *crop and stock* [formerly weather and crop] service under supervision of secretary of agriculture. Amending '92 p.281. **O.** p.93, 3 Ap
- 1451 **Experiment stations.** Providing for branch experiment station to be established by board of trustees of agricultural and mechanical college at point where land is donated. **Miss.** 61, 12 Mr
- 1452 **Farmers institutes.** Appropriating \$4000 [formerly \$3000] for formation and support of farmers' institutes. Amending '96 ch.102 §4. **Md.** 363, 7 Ap

## SUMMARY OF LEGISLATION, 1900

**Associations. Fairs**

- 1453 County and district agricultural societies may offer premiums; societies to report to state agricultural society by *November 1* [formerly December 1] on condition of agriculture in county; societies failing to report receive no state aid. Amending Code '97 §1658, 1659; '98 ch.43. **Ia.** 59, 6 Ap
- 1454 Associations for encouraging raising of choice breeds of horses may establish grounds for exhibitions and trials of speed or strength; may collect admission fees and award purses or premiums. **Mass.** 409, 27 Je
- 1455 Amending '93 ch.338 §88 as to apportionment of state money to societies that have received no state money except that set apart for county agricultural societies. **N. Y.** 87, 7 Mr
- 1456 Amending '95 ch.559 §143 relating to special policemen on fair grounds of agricultural societies. **N. Y.** 333, 6 Ap
- 1457 Agricultural society permitting gambling device or game of chance at fairs forfeits right to public money. Amending '93 ch.338 §88. **N. Y.** 339, 9 Ap
- 1458 Lieutenant governor, commissioner of agriculture, and nine members appointed by governor to constitute a state fair commission; county and local fairs not to be held same time as state fair; \$1000 annually awarded for best exhibits by local societies. **N. Y.** 346, 10 Ap
- 1459 District or county agricultural societies to receive from county an amount equal to that raised by themselves, not exceeding *two* [formerly one] cents to each inhabitant of county, and not exceeding \$800 [formerly \$400]. Amending R.S.'97 §3697. **O.** p.395, 16 Ap

**Soil—drainage, irrigation, fertilizers****Drains**

- 1460 **General.** Two owners may petition supervisors for drain; if found to be conducive to general welfare of petitioners, supervisors to order work done and cost assessed on lands benefited. **Cal.** '81 ch.21. *Unconstitutional.* Private property may be taken only for public use. *Nickey v. Stearns ranchos co. et al.* 58 P. 459.
- 1461 Generally amending '93 ch.266 relating to drainage of lands. **Ky.** 30, 23 Mr
- 1462 Regulating creation and management of drainage districts. **La.** 12, 27 Je
- 1463 Board of supervisors may provide for drainage of overflowed lands by annual tax thereon of 10 cents an acre. **Miss.** 121, 6 Mr

- 1464 General laws may be passed permitting land owners to construct drains on lands of others. N. Y. Constitution art.1 §7. *Unconstitutional*. Takes private property for other than public use, violating U. S. constitution. In re Tuthill, 163 N. Y. 133.
- 1465 County commissioners shall, after hearing and *by actual view*, determine necessity of proposed improvements in county ditches. Amending R.S.'97 §4452; '98 p.64. O. p.322, 16 Ap
- 1466 County commissioners to be commissioners of health and drainage; provisions for cleaning streams and draining swamps and bottom lands. S. C. 223, 19 F
- 1467 Submitting constitutional amendment; general assembly to provide for condemnation of lands in draining swamp and low lands and for assessment of lands drained. *Adopted November 1900 but must be ratified by legislature of 1901*. S. C. 341, 19 F
- 1468 **Assessment.** Amending R.S.'97 §4448, 4512, as to meaning of words "according to benefits" in laws relating to assessment for county and township ditches. O. p.163, 14 Ap
- 1469 **Repair. Obstruction.** Revision of laws relating to cleaning and repairing public ditches, drains and watercourses. O. p.142, 13 Ap
- 1470 Amending R.S.'97 4510 subdiv.1-2 relating to enlarging and cleaning county ditches. O. p.373, 16 Ap
- 1471 Amending R.S.'93 §1275 relating to obstructions of streams. S. C. 253, 19 F

**Irrigation. Water rights**

- 1472 Providing for extension of right of way for canals and feeders and registration thereof. Col. '81 p.161. *Partly unconstitutional*. §2 regulates filing and recording of maps of ditches to be made and relates to matter not included in title. Lamar canal co. v. Amity land & irr. co. 58 P. 600.
- 1473 Misdemeanor to interfere with dam, ditch or levee. La. 24, 28 Je
- 1474 Irrigation companies exempted from maintaining bridges. Neb. C.S.'97 ch.93a art.2 §58. *Unconstitutional*. Special legislation. State v. Farmers and merchants' Irrigation co., 80 N. W. 52.
- 1475 Submitting constitutional amendment governing reservoirs and water rights. *Rejected June 1900*. Or. p.143, 18 F 99
- 1476 Submitting constitutional amendment authorizing taxation for irrigation in certain counties. *Rejected November 1900*. Tex. p.337, 20 Je 99
- 1477 **State supervision.** Commissioner of dams and reservoirs to be appointed every third year [formerly in May]; in case of disability new appointee to act till expiration of term [formerly or until disability is removed]. Amending G.L.'96 ch.124 §1. B. I. 782, 31 My

**Fertilizers**

- 1478 **Inspection.** Salary of phosphate inspector to be \$1200 [formerly \$1500]. S. C. 226, 9 F
- 1479 Commercial fertilizers may be analyzed free at Clemson agricultural and mechanical college. S. C. 263, 19 F
- 1480 Requiring commercial fertilizer to be stamped with analysis of ingredients, name of maker and place made, and pounds in package. Amending '90 ch.105. Va. 10, 28 D 99

**Horticulture. Hindrances to crops****Horticulture. Diseases and pests**

- 1481 **State supervision.** Board of control of agricultural experiment station to inspect nurseries, orchards, gardens etc. and treat trees infected with insects or disease; plants shipped into state must bear certificate of inspection; annual report. O. p.221, 14 Ap
- 1482 **Board of control of experiment station** constituted a board of crop pest commissioners; board to appoint state entomologist and publish list of pests and diseases of plants, provide for quarantine and annual inspection of nursery stock. Va. 572, 5 Mr
- 1483 **Societies.** Maryland state horticultural society incorporated; annual appropriation of \$1000 by state; to report annually to governor. Md. 215, 5 Ap
- 1484 **Poisons.** Directors of experiment stations at Ithaca and Geneva may conduct experiments in applying poison and spraying mixtures to fruit trees in blossom. Amending '98 ch.325 §1. N. Y. 171, 22 Mr

**Weeds**

- 1485 Amending Code '97 §1563 relative to notice to land owner to destroy Russian thistle. Ia. 53, 3 Ap
- 1486 Amending R.S.'97 §4730, '98 p.49 relative to destruction of brush, weeds, etc. on highways, toll, *steam and electric* roads. O. p.300, 16 Ap

**Bounties**

- 1487 Bounty of \$5 for killing wild fox. R. I. 783, 31 My

**Domestic animals**

(See also Inhumanity, 37; Racing, 12)

**Health. Inspection. Contagious diseases**

- 1488 **State supervision.** State commissioner of agriculture to inspect cases of contagious disease among cattle and establish quarantine. Ga. p.97, 20 D 99
- 1489 **Miscellaneous regulations.** Any person may kill dog found loose in district quarantined by commissioner of agriculture to prevent spread of rabies. Amending '93 ch.338 §65. N. Y. 118, 14 Mr

- 1490 Persons importing cattle without certificate to notify county cattle commissioner; examination for tuberculosis; to be slaughtered, if diseased. **R. I. 756, 4 My**
- 1491 When cattle are unlawfully brought into state from below quarantine line, burden of proof on person bringing them. Amending Code '87 §2214. **Va. 793, 5 Mr**
- 1492 Board of supervisors to quarantine against spread of contagious diseases of domestic animals and report to board of control of experiment station; penalties for bringing in or keeping infected live stock. Amending '96 ch.362. **Va. 832, 6 Mr**
- 1493 Hogs. Swine dead from any natural cause, to be burned or buried by owner. **S. C. 252, 19 F**
- 1494 Veterinary practice. State board of veterinary medical examiners created consisting of three members appointed by the governor. After Jan. 1, 1901, all applicants for license shall be graduates of a recognized veterinary school and pass an examination; registration fee \$5; examination fee \$15. **La. 93, 5 My**
- 1495 Providing for registration of veterinary surgeons not registered because of error. Amending '93 ch.661 art.10 §179. **N. Y. 479, 17 Ap**

**Ownership. Sale. Miscellaneous**

- 1496 Running at large. Stock law to go into effect within six months after election adopting it, *provided fence has been built around district*. Amending Code '95 §1778, 1781. **Ga. p.29, 7 D 99**
- 1497 Order of board of supervisors declaring in force law requiring stock to be fenced in shall not take effect till four months after date. Amending '97 ch.17. **Miss. 124, 28 F**
- 1498 Wire fences. Barbed wire fence within 50 feet of public highway to have plank on top. **S. C. 260, 19 F**
- 1499 Commercial feed for stock. Commercial feed stuffs to bear label giving weight, manufacturer, source of food principles and chemical analysis; inspection fee \$25; license. **Md. 287, 5 Ap**
- 1500 Concentrated commercial feedstuffs to bear label showing weight, manufacturer and chemical analysis; other regulations; New Jersey agricultural experiment station to collect and analyze samples. **N. J. 29, 15 Mr**
- 1501 Dealers license for concentrated commercial feeding stuffs \$25 for each brand offered for sale. Amending '93 ch.338 §123. **N. Y. 79, 7 Mr**
- 1502 Dogs. Police juries may pass ordinances to protect sheep; may levy tax on dogs; tax collected to be credited to school fund. **La. 143, 12 Jl**
- 1503 Damages for sheep killed by dogs may be recovered by proceeding against owner, keeper or harborer. Amending Code '88 art.86 §2. **Md. 275, 5 Ap**



- 1504 Dogs listed for taxation are personal property; any one may kill dog that chases sheep. Amending R.S.'97 §4213; '98, p.128 §1, 2. O. p.118, 10 Ap
- 1505 Dog tax. Levying tax on dogs; act not to become operative in any county except on recommendation of grand jury. Ga. p.15, 8 D 99

## Dairy products

(See also Foods, 1368)

- 1506 Supervision. Adulteration. State dairy commissioner may employ a *deputy and an assistant at salary of \$1000 each and traveling expenses* [formerly a clerk at \$75 per month]. Amending Code '97 §2515. Ia. 85, 3 Ap
- 1507 State board of agriculture shall elect general agent of dairy bureau; duties; salary \$1200. Repealing '91 ch.412 §11. Mass. 368, 6 Je
- 1508 Inducing violation of agricultural law or offering for sale substance to be used in such violation forbidden. Amending '93 ch.338 §27. N. Y. 534, 19 Ap
- 1509 Imitation butter. Oleomargarine. Amending Code '88 art.27 §88-91 relating to manufacture and sale of oleomargarine and its use in hotels. Md. 496, 7 Ap
- 1510 Commissioner of agriculture to inspect butter, butterine, and oleomargarine and notify commonwealth's attorney of violation of law. Amending '98 ch.146. Va. 908, 6 Mr
- 1511 Milk. Pure milk to contain 12½% milk solids, 3½% of fat; unwholesome milk defined. Md. 459, 7 Ap
- 1512 Regulating manufacture and sale of condensed milk. Md. 532, 7 Ap
- 1513 Amending penalties for sale of milk not of standard quality or from which cream has been removed. P.S. ch.57 §5; '86 ch.318 §2. Mass. 300, 8 My
- 1514 Protecting milk dealers against unlawful use and destruction of milk cans. Mass. 359, 31 My
- 1515 Cans for distribution of milk to be sealed as measures by city sealer. Mass. 369, 6 Je
- 1516 No adulterated or unwholesome milk to be brought to co-operative butter or cheese factory under penalty of \$50 for first offense, \$150 for second. Fine to be divided, state one half, county one quarter, factory one quarter. Amending '93 ch.238, §37. N. Y. 76, 6 Mr; 559, 20 Ap
- 1517 Prohibiting sale of adulterated, or unwholesome milk or cream or products made therefrom. Amending '93 ch.338 §22. N. Y. 101, 12 Mr

- 1518 Forbidding buying or selling marked milk dealers' cans, *irrespective of condition or use*. Amending '96 ch.376 §29 ¶1.  
N. Y. 543, 19 Ap
- 1519 Regulating test where milk is bought on basis of fat therein. Amending '93 ch.338 §23.  
N. Y. 544, 19 Ap

## Forestry

- 1520 **General. State supervision.** General law for the protection of forests, fish and game. Governor to appoint forest, fish and game commission; five members, term five years; salary \$2500, president \$3000.  
N. Y. 20, 19 F; 608, 23 Ap
- 1521 Board of supervisors may raise \$1000 to aid in executing forest, fish and game law.  
N. Y. 296, 6 Ap
- 1522 Compilation of forest, fish and game law to be published and distributed; 15,000 copies.  
N. Y. 297, 6 Ap
- 1523 Causes of action for penalties under fisheries, forest and game law may be joined in same complaint. Amending C.C.P. §484.  
N, Y. 590, 23 Ap
- 1524 Engineer of forest, fish and game commission to be superintendent of forests; commission to appoint chief fire warden and not more than three expert foresters. Amending '00 ch. 20.  
N. Y. 607, 23 Ap
- 1525 Town boards of audit to fix wages of laborers at forest fires and notify fire warden and forest, fish and game commission; commission may hire laborers to protect forest preserve; at town expense. Amending '00 ch.20 §227.  
N. Y. 609, 23 Ap
- 1526 **Forest fires.** Township assessors shall call out persons to extinguish forest fires.  
S. C. 248, 9 F
- 1527 **Drift timber. Brands.** Fixing fees for taking up and keeping drifting timber; timber dealers may adopt brand; regulations for branding.  
Ky. 32, 23 Mr
- 1528 Dealers in timber to have application for trade mark recorded in court of common pleas [formerly court of county]. Amending R.S.'97 §4364 subdiv.56.  
O. p.95, 3 Ap
- 1529 **Miscellaneous.** Applications to enjoin the cutting of timber need not aver insolvency or irreparable damage, provided petitioner has title to the land or has title to timber on any land. Amending Code '95 §4927.  
Ga. p.39, 20 D 99
- 1530 Unlawful to cut or remove timber or tan bark from uninclosed lands without deed of conveyance or written contract with owner.  
Ga. p.59, 20 D 99
- 1531 Unlawful to injure or destroy or carry away trees or underwood without consent of owner of land. Amending G.L.'96 ch.279 §23.  
B. I. 736, 17 Ap

## Game and fish

### General

- 1532 General law for the protection of forests, fish and game. Governor to appoint forest, fish and game commission; five members, term five years; salary \$2500, president \$3000; commission to appoint fish culturist, fire wardens and 38 game protectors.  
N. Y. 20, 19 F; 608, 23 Ap
- 1533 Board of supervisors may raise \$1000 to aid in executing forest, fish and game law.  
N. Y. 296, 6 Ap
- 1534 Compilation of forest, fish and game law to be published and distributed; 15,000 copies.  
N. Y. 297, 6 Ap
- 1535 Causes of action for penalties under fisheries, forest and game law may be joined in same complaint. Amending C.C.P. §484.  
N. Y. 590, 23 Ap
- 1536 Amending game law ('00 ch.20 §140 subdv.7) as to meaning of "open" and "close" seasons.  
N. Y. 593, 23 Ap
- 1537 Generally amending R.S.'97 §409 relative to protection of birds, game and fish.  
O. p.210, 14 Ap

### Game

#### General regulations

- 1538 Unlawful for non-resident to hunt game without license.  
Ia. 86, 22 Mr
- 1539 License money [formerly license money and fines] paid under act for protection of game to be credited to game protection fund. Amending '00 ch.86.  
Ia. 87, 6 Ap
- 1540 Penalty for hunting on lands without owner's consent \$5 to \$25; commitment to prison in default of payment *till fine is paid* [formerly 1 to 20 days]; *appeal*. Amending Code '88 art.27 §136 as amended by '92 ch.656.  
Md. 419, 7 Ap
- 1541 Open season for ruffed grouse, quail, English pheasant, hare, and gray, black or fox squirrel November and December; gray snipe March to December; web-footed fowl September 1 to May 1. Amending '95 ch.255.  
N. J. 73, 22 Mr
- 1542 Unlawful to remove from state ruffed grouse, quail, English pheasant, woodcock or squirrel; except unbroken packages in transit.  
N. J. 111, 23 Mr
- 1543 Transportation of birds or game, except fish, out of state forbidden.  
N. Y. 235, 29 Mr
- 1544 Unlawful to hunt on lands of another without written [formerly or verbal] permission of owner; penalty for second offense \$5 to \$15 [formerly \$15 to \$30]. Amending R.S.'97 §6966.  
O. p.230, 16 Ap
- 1545 Minor amendments to game law, R.S.'97 §6961. O. p.234, 16 Ap

## Game animals

- 1546 **Deer.** Misdemeanor to hunt deer for purpose of sale without license. Ga. p.95, 20 D 99
- 1547 Open season for deer September 15 to February 15; fines devoted to school fund; idlers and professional hunters prohibited from hunting deer. La. 85, 9 JI
- 1548 Close season for deer November 16 to August 31 [formerly 14]; deer or venison may not be sold from November 21 to August 31 [formerly 14]. Amending '00 ch.20 §2, 4. N. Y. 599, 23 Ap
- 1549 Penalty for taking or killing deer before Feb. 1, 1905, fine not exceeding \$500. R. I. 723, 9 F
- 1550 **Small game.** Open season for otter, mink, raccoon and muskrat January 1 to April 1. Md. 371, 7 Ap
- 1551 Unlawful to hunt or kill rabbits while ground is covered with snow. N. J. 108, 23 Mr
- 1552 Unlawful to take or kill rabbit, hare or gray squirrel between January 1 and October 15 [formerly 1]. Amending '99 ch.684 §1 R. I. 788, 13 Je

## Game birds

- 1553 Misdemeanor to hunt for purpose of sale wild turkeys, quail, or doves without license. Ga. p.95, 20 D 99
- 1554 Unlawful to net partridges or quail or to export them beyond limits of state. Ga. p.98, 20 D 99
- 1555 Prohibiting hunting of certain birds and fixing open season for others; professional hunting forbidden. La. 119, 11 JI
- 1556 Unlawful to catch or destroy mongolian, English or golden pheasants for five years. Mass. 64, 13 F
- 1557 Providing for protection of woodcock, ruffed grouse, quail, pin-nated grouse, wood duck and black duck. Mass. 379, 13 Je
- 1558 Unlawful to hunt or kill partridge, grouse, pheasant, quail, wood-cock, while ground is covered with snow. N. J. 108, 23 Mr
- 1559 Close season for woodcock and grouse December 16 to September 15 [formerly August 31]. Amending '00 ch.20 §23, 25. N. Y. 601, 23 Ap
- 1560 Forbidding sale of plumage or any part of birds protected by game law. Amending '00 ch.20 §33, 39. N. Y. 741, 2 My
- 1561 Amending G.L.'96 ch.112 relating to hunting birds. R. I. 746, 4 My
- 1562 Open season for shooting woodcock, ruffed grouse and quail October 15 to December 15; duck species, wild geese and brant, August 15 to January 1; peep, plover, snipe, sandpipe, sanderling, yellow legs, curlew and rails, July 15 to January 1. Amending G.L.'96 ch.112 §1-3. R. I. 787, 12 Je
- 1563 Misdemeanor to sell or ship partridge or quail out of state for five years. Amending R.S.'93 v.2 §431. S. C. 255, 9 F

**Fish**

- 1564 **State board.** Six [formerly seven] commissioners of inland fisheries to be appointed. Amending '97 ch.459. **R. I.** 786, 31 My
- 1565 State board of fisheries may sell or exchange vessels of police fleet. Amending '98 ch.225 §11. **Va.** 466, 21 F
- 1566 **Fish culture.** Fish commissioners may on petition stock a brook with fish and prescribe fishing regulations for three years. **Mass.** 284, 2 My
- 1567 Part of lake or pond may be laid out as private park if riparian owners consent. Amending '00 ch.20. **N. Y.** 538, 19 Ap
- 1568 **Fishways.** Fish commissioners may construct fishway on private premises at expense of state in the inability of owner of premises. Amending P.S. ch.91 §7. **Mass.** 344, 24 My
- 1569 Dams to be provided with fish ladders during March, April, May, and June. Amending Code '87 §2105. **Va.** 784, 5 Mr

**Special modes**

- 1570 Ponds and lagoons formed by receding waters of running streams and having no connection with channels exempted from provisions of R.S.'97 §2701 relating to catching fish with prohibited devices. **O.** p.320, 16 Ap
- 1571 Suckers and carp may be gilled, speared or taken with a grab-hook. Amending R.S.'97 §2701. **O.** p.320, 16 Ap
- 1572 Regulating fishing and providing for confiscation and sale of apparatus used to catch fish in violation of its provisions. **O.** R.S.'97 §6968. *Unconstitutional.* Provides no legal proceeding for confiscation and takes property without due process of law. *Edson v. Crangle*, 56 N.E. 647.
- 1573 Unlawful to take fish in any stream or fresh pond except by a single hook and line. Amending G.L.'96 ch.171 §27. **R. I.** 748, 4 My
- 1574 Amending Code '87 §2086 in relation fishing, devices and tax thereon. **Va.** 668, 1 Mr
- 1575 **Miscellaneous.** Misdemeanor to put walnut hulls, walnut leaves, devil shoestring or other substances likely to poison or drive away fish in any waters. **Ga.** p.68, 20 D 99
- 1576 Misdemeanor for non-residents to take fish for purpose of sale without license. **Ga.** p.96, 19 D 99
- 1577 Open season for black bass, pike perch, yellow perch and white bass June 15 to November 30 [formerly May 30 to December 1]; pickerel and pike May 1 to November 30; unlawful to take pike-perch less than 12 inches in length, white bass 9 inches; method of fishing. Amending '95 ch.255 §18, 24. **N. J.** 70, 21 Mr

- 1578 Non-residents may not take fish from boundary waters within state unless residents have like privilege in such waters without state; if license required of residents, non-residents shall obtain license from state. Amending '00 ch.20. N. Y. 429, 13 Ap
- 1579 Penalty for fishing with trammel-net \$50 [formerly \$25] to \$100; other violation of fish laws \$25 to \$50. Amending R.S.'97 §6968. O. p.349, 16 Ap
- 1580 Penalty \$15 for taking black bass less than 8 inches in length. Amending G.L.'96 ch.174 §9. R. I. 749, 4 My

## Shellfish. Lobsters. Terrapin. Sponges

- 1581 General. Duties of treasurer of oyster and shell commission. N. J. 185, 23 Mr
- 1582 Regulating the catching, sale, export and canning of oysters, clams and terrapins and abolishing office of terrapin inspector. S. C. 256, 19 F
- 1583 Oysters. Misdemeanor for non-residents to take oysters for purpose of sale without license. Ga. p.96, 19 D 99
- 1584 Legislative committee to examine oyster industry and formulate bill for its improvement. La. 159, 12 Jl
- 1585 Generally amending Code '88 art.72 relative to taking of oysters. Md. 380, 7 Ap
- 1586 Officers of state oyster commission may revoke license of boat refusing to be examined for violation of oyster law. Amending '99 ch.194 §18. N. J. 65, 20 Mr
- 1587 Misdemeanor to dredge on oyster bed within waters of Delaware bay and Maurice river cove, belonging to any other person, without permission. Amending '99 ch.194 §20. N. J. 103, 23 Mr
- 1588 Leased oyster grounds in Delaware bay and Maurice river cove to be marked by lessee with official markers; penalty for neglect to mark and for removing markers. N. J. 139, 23 Mr
- 1589 Amending '99 ch.194 §15 relating to keeping of accounts by oyster superintendent. N. J. 159, 23 Mr
- 1590 Establishing uniform procedure for enforcement of laws relating to taking of natural seed oysters. N. J. 177, 23 Mr
- 1591 Unlawful to gather seed oysters with hand-tongs or patent tongs without license. N. J. 185, 23 Mr
- 1592 Only vessels owned by residents may be licensed to engage in oyster fishing. Amending '99 ch.18 §1. N. C. 18, 14 Je
- 1593 Misdemeanor to take oysters under three [formerly two and one half] inches long. Amending '96 ch.831. Va. 241, 3 F; 962, 7 Mr

- 1594 Amending Code '87 §2131 in relation to appointment and bond of oyster inspectors. Va. 279, 5 F
- 1595 Board of fisheries shall appoint surveyor to resurvey oyster-planting grounds. Va. 280, 5 F
- 1596 County clerk to forward copy of oyster assessment and oyster inspector to report tax collected thereon to state board of fisheries. Amending '94 ch.743 §3. Va. 281, 5 F
- 1597 Allowing oyster planters reasonable time to remove oysters planted by mistake in public grounds. Va. 474, 21 F
- 1598 Submitting constitutional amendment repealing provision restricting taxation of oyster industry. *Vote November 1901.* Va. 588, 5 Mr
- 1599 Amending '94 ch.743 §5 as to time of paying oyster tax. Va. 691, 2 Mr
- 1600 Regulating dredging oyster grounds; owner may dredge any time except night; grounds to be marked by buoys. Va. 903, 6 Mr
- 1601 **Clams.** Establishing uniform procedure for enforcement of laws relating to taking of natural seed clams. N. J. 177, 23 Mr
- 1602 Persons having license to take oysters may take clams also. Va. 242, 3 F
- 1603 **Lobsters.** Lobsters not to be caught by any one not *having been* an inhabitant of state *for one year*. Amending '93 ch.183 §1. Mass. 230, 13 Ap
- 1604 Unlawful to sell or possess lobster less than 10½ inches long. *cooked or uncooked.* Disposition of forfeitures. Amending '84 ch.212 §1. Mass. 428, 5 Jl
- 1605 On petition of 50 citizens, board of fisheries may lay off shoals or rocks as crabbing grounds. Va. 243, 3 F
- 1606 **Terrapin.** Amending Code '88 art.92 relative to taking of terrapin. Md. 435, 7 Ap

## CONSTITUTIONAL AMENDMENTS

1899-00

The references are to the marginal numbers in the body of the bulletin, where the amendments are summarized. The column of amendments proposed includes both those submitted to future vote of the people and those referred to the next session of the legislature, as is required in a number of states.

	Adopted	Rejected	Proposed		Adopted	Rejected	Proposed
Arkansas ....	828	-----	-----	Missouri ....	780	-----	-----
California <sup>1</sup> ..	136	-----	-----		793	-----	-----
	187	-----	-----		794	-----	-----
	359	-----	-----		1001	-----	-----
	360	-----	-----		1423	-----	-----
		361	-----		1424	-----	-----
		620	620	New York ...	-----	-----	370 <sup>6</sup>
		645	-----		-----	-----	653 <sup>8</sup>
			889		-----	-----	654
Colorado ....	224	-----	-----	Montana ....	628	-----	-----
Florida. ....	228	-----	-----	N. Carolina .	186	-----	-----
	271	-----	-----	N. Dakota...	484	-----	-----
	850	-----	-----		1192	-----	-----
	868	-----	-----	Oregon.....	-----	184	-----
Georgia .....	1066	-----	-----		-----	493	-----
Idaho .....	86	-----	-----		-----	632	-----
Iowa .....	<sup>2</sup> { 207	-----	-----		-----	844	-----
	230	-----	-----		-----	1475	-----
Indiana .....	608 <sup>3</sup>	-----	-----	Rhode Island <sup>4</sup> { 183	-----	-----	-----
	623 <sup>3</sup>	-----	-----		226	-----	-----
Kansas .....	624	-----	-----	S. Carolina..	494 <sup>7</sup>	-----	-----
Louisiana...	480	-----	-----		1467 <sup>7</sup>	-----	-----
	1068	-----	-----	S. Dakota...	23	-----	-----
Maryland ...	-----	-----	232		103	-----	-----
	-----	-----	681	Texas .....	-----	1476	-----
Minnesota ..	-----	88	-----	Virginia ..	-----	-----	208
Mississippi..	95 <sup>4</sup>	622 <sup>5</sup>	-----		-----	-----	1598
	233 <sup>4</sup>	-----	-----	W. Virginia..	374	-----	303 <sup>8</sup>
Missouri ....	392	-----	-----	Washington .	-----	-----	-----
	-----	-----	-----	Wyoming ...	-----	495	-----

<sup>1</sup> The amendments relative to city charters and state courts passed by the legislature of 1900 were not voted on in November but a similar amendment relative to courts was passed in 1899 and this was voted on and rejected.

<sup>2</sup> Submitted as one amendment.

<sup>3</sup> Received majority vote, but not majority of total number of votes cast for governor. Validity of adoption is questioned.

<sup>4</sup> Adopted November 1900 but must be inserted in constitution by legislative resolution.

<sup>5</sup> Received a majority vote in November 1899, but not a majority of total vote cast at the election. Vote was canvassed by legislature of 1900 and a resolution adopted to insert the amendment in the constitution. Validity of adoption came before the state supreme court in *State v. Powell* 37 So. 927 and it was held invalid because improperly submitted and insufficient affirmative vote. The constitution requires that each amendment shall be submitted separately and the court decided that the proposed amendment was really four distinct amendments. The court also held that an amendment must receive a majority of all votes cast at the election.

<sup>6</sup> Not repassed by legislature of 1900.

<sup>7</sup> Adopted November 1900, and must be ratified by legislature of 1901.

<sup>8</sup> As the legislature failed to provide for the submission of the amendment, no action on it can be taken.



## NEW CONSTITUTIONS

**Iowa.** The constitution of Iowa provides for submitting to the electors every 10 years the question of holding a constitutional convention, and in accordance with this provision the electors at the November election voted in favor of holding a convention. The constitution makes it the duty of the legislature at its next session, which will be in 1902, to provide for election of delegates. The present constitution of the state was adopted in 1857. It has since been amended in 1868, 1880, 1882 and 1884.

**New Hampshire.** The legislature of 1899 provided for submitting the question of holding a constitutional convention (see Laws of 1889, ch. 110) and at the recent November election the proposition to hold a convention was adopted. It will be the duty of the legislature of 1901 to provide for election of delegates. The present constitution of New Hampshire was adopted in 1792, and has since been amended but three times. In 1851 a constitutional convention proposed three amendments, one of which was accepted by the people. The constitutional convention of 1876 proposed 13 amendments, all but two of which were adopted. The last constitutional convention, held in 1889, proposed seven amendments, five of which were adopted. The constitution of the state requires the question of calling a convention to be submitted every seven years and in November 1894 the question was voted on but failed to carry.

**Virginia.** At an election held in May 1900 the proposition to hold a constitutional convention was adopted. For the law providing for the submission of the question see Laws of 1900, ch 778. An extra session of the legislature will be convened Jan. 23, 1901, to provide for electing delegates to the convention. The present constitution was adopted in 1869.



# SUBJECT INDEX

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## TAXATION OF CORPORATIONS

IN

NEW YORK, MASSACHUSETTS, PENNSYLVANIA AND NEW JERSEY

BY

Robert Harvey Whitten Ph. D.

SOCIOLOGY LIBRARIAN

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### INTRODUCTORY NOTE

The aim of this study is to present for comparative purposes the corporation tax systems of these four states, in which corporate organization is so strongly developed. The comparative summary gives a brief review of the several systems. The summary by states is more full and under the heads general business corporations, public service corporations, state and national banks, trust companies, savings banks, insurance, incorporation tax and shares and bonds, describes in the briefest form for comparative purposes the various state and local taxes imposed on each class of corporations. The tax officials of the several states have had the kindness to read the proof of this portion of the bulletin.

The compilation of corporation tax statutes contains all tax laws applying specifically to corporations and such laws of a general nature as are necessary to give a complete view of the method of taxing corporations. References are made to such court decisions as are essential to an understanding of the actual

General business corporations

basis and general system of taxation but not to such as relate only to technical administration.

The study is complete to May 1, 1901, thus including the numerous corporation tax laws passed by the New York legislature of 1901 and also an act passed by the New Jersey legislature of the same year. It is hoped by frequent revision to keep the subject-matter up to date and also at some future time to include the corporation tax systems of other states, specially, Ohio, Indiana and Illinois whose systems are probably next in importance and interest.

### COMPARATIVE SUMMARY

**General business corporations.** In New York and Massachusetts real estate of general business corporations is assessed by the local assessors for state and local purposes, while in Pennsylvania and New Jersey<sup>1</sup> it is assessed for local purposes only, there being no state tax on real property in these two states. In New York corporations are also subject to taxation for local purposes approximately on the actual value of capital employed less liabilities and real estate, and to a state tax at a rate varying according to dividends, being  $1\frac{1}{2}$  mills on the par value of capital stock employed in the state, if dividends are 6%. The state tax commissioner of Massachusetts assesses a tax at the average rate of taxation throughout the state (about  $1\frac{1}{2}\%$ ) on the total market value of the shares of all domestic corporations, less real estate and machinery locally assessed, and the auditor general of Pennsylvania, a tax of  $\frac{1}{2}$  of  $1\%$  on the actual value of the franchises, property and entire earning capacity of all corporations having a capital stock, and also a tax of  $\frac{2}{3}$  of  $1\%$  on the bonds or other obligations of domestic corporations held by residents of the state, which is paid by the corporations and deducted from interest due. In New Jersey corporations are subject to local taxation on personal property in the same manner as individuals. As in New York the value of the franchise can not be taxed as personalty and corporations have the same right to a deduction for debts as have individuals. Domestic

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<sup>1</sup>See p. 630.

corporations also pay a state tax of  $\frac{1}{10}$  of 1% on the par value of capital stock on amounts not exceeding \$3,000,000,  $\frac{1}{20}$  of 1% on amounts from \$3,000,000 to \$5,000,000 and \$50 for each \$1,000,000 in excess of \$5,000,000. New Jersey corporations organized to carry on business in other states form by far the largest proportion of corporations subject to this rapidly regressive tax. Public service corporations

**Public service corporations.** Of the four states under consideration Pennsylvania and Massachusetts have the most consistent systems of taxing public service corporations. In Pennsylvania public service like other corporations are subject to a state tax of  $\frac{1}{2}$  of 1% on their capital stock, which the state supreme court has held to mean a tax on entire property including franchises and earning capacity. Bondholders in foreign corporations pay a tax of  $\frac{2}{3}$  of 1% on their bonds and domestic corporations pay from interest due a tax at the same rate on bonds held by residents of the state. Real estate is not taxed for state purposes in Pennsylvania and public service corporations, except railroads in Philadelphia and Pittsburg, are exempt from all local taxation on so much of their property as is essential to the exercise of their franchise. To make up for this exemption from local taxation, transportation and transmission corporations of every kind pay a state tax of  $\frac{1}{3}$  of 1% on gross receipts from business done wholly within the state.

Massachusetts taxes public service like all domestic corporations on the aggregate market value of shares less real estate locally assessed, at the average rate of taxation throughout the state (about  $1\frac{1}{2}\%$ ). Street railways are the only public service corporations that are required to pay additional taxes. They pay a tax equal to the excess of dividends paid over 8% and a gross receipts tax at a rate varying from 1% to 3% in proportion to gross receipts per mile.

There are a number of points of similarity between the systems of New Jersey and New York. In both states personal property of public service corporations is assessed locally for local purposes, but the value of the franchise can not be included and

Public service  
corporations

debts may be deducted. This exemption of the franchise has recently led both states to pass special laws for the taxation of corporations exercising franchises to use streets or other public places. The New York law passed in 1899 provides for the valuation of this special franchise by the state board of taxation and for its assessment for state and local purposes in the same manner as real estate. The New Jersey law passed one year later, imposes a tax of 2% on the gross receipts of such corporations.

In New York street and elevated railroads pay a state tax of 1% on gross receipts and of 3% on dividends paid in excess of 4%; and water, light, power and heat companies pay  $\frac{1}{2}$  of 1% on gross receipts and 3% on dividends in excess of 4%. All other transportation and transmission corporations pay a state tax of  $\frac{1}{2}$  of 1% on gross receipts from business done wholly within the state, and like corporations generally they are subject to a state tax at a rate varying according to dividends being  $1\frac{1}{2}$  mills on the par value of capital stock employed in the state, if dividends equal 6%.

New Jersey has a special system for the taxation of steam railroads and canals. Real and personal property is taxed for state purposes at the rate of  $\frac{1}{2}$  of 1% on its actual value as determined by the state board of assessors. The court has held that the valuation may be based on the aggregate value of shares and bonds less debts due creditors within the state. The state board also levies a tax for local purposes at the local rate but not exceeding 1%, on branch roadbeds or waterways and all other property except; 1) the "main stem" of each railroad or canal, including the roadbed not exceeding 100 feet wide with tracks and passenger stations, and 2) rolling stock, canal boats and all tangible and intangible personalty.

The old system of assessing public service corporations through local officials in the same manner as individuals has been quite generally abandoned. The change has not come about through a conviction of the injustice of the former system of strict uniformity, but as a result of the fact that local assessors proved unequal to the task of putting it in operation. Many



states have given up actual value as a basis of assessment and levy taxes, assessed usually by some state officer or board, on gross receipts, milage, par value of shares, etc. The administration of such taxes is comparatively simple and certain, but they can have no other justification. They are unequal and arbitrary, the rate imposed being necessarily fixed by guesswork or intrigue. In the case of public service corporations there are but two bases of taxation that can be plausibly defended, net income and actual value. When both these are abandoned, chaos results. These arbitrary taxes, though unequal as between corporations of the same class, have usually been favored by corporate interests because of their definiteness and because the amount paid is usually much below their proportionate share of the burdens of government as measured by net income or the actual value of their property.

The present chaotic conditions were much furthered by the earlier decisions of the United States courts relative to the taxation of interstate commerce, but with the more recent decisions of the United States supreme court sustaining the so called unit system in the assessment of the property and franchises of interstate corporations and with the belief in many states that such corporations are escaping their just share of the burden of taxation, there is now a very strong tendency to return to the principle of uniformity in the basis of taxation though not in the mode of assessment. The general trend seems to be to abandon gross receipts, milage, shares, etc., as a basis of taxation and substitute the actual value of property and franchises as determined by a state board. The broader jurisdiction, more extensive powers and higher technical training of the state board are relied on to accomplish the task to which the local assessors have proved unequal. This tendency though shown more clearly in Ohio, Indiana, Illinois, Kentucky, Missouri and other states is evidenced by the state tax on the actual value of the property and franchises of corporations in Pennsylvania and by the special franchise tax in New York and the tax on railroads and canals in New Jersey.

State and  
national banks  
Trust com-  
panies

**State and national banks.** There is considerable uniformity in the taxation of state and national banks throughout the United States. The existing system has grown out of the exemption from taxation of United States bonds, in which much of the capital of national banks is invested and the provisions of the national banking act permitting the taxation of national bank shares in the hands of individuals at a rate not greater than that at which other moneyed capital in the hands of individuals is taxed. [*National bank act, 1864 § 41*] In Massachusetts real estate is taxed for state and local purposes and the bank pays a tax in behalf of the shareholders at the average rate for state and local purposes on the market value of the shares, less a proportionate deduction for real estate separately assessed. New York besides taxing real estate at the regular rate for state and local purposes levies a tax of 1% for local purposes on the value of the shares determined by adding together capital stock, surplus, and undivided profits and the tax is paid by the bank in behalf of the shareholders. In Pennsylvania the tax on real estate is for local purposes only and the state levies a tax of  $\frac{2}{3}$  of 1% on the actual value of shares, determined by adding together capital stock paid in, surplus and undivided profits. The tax is paid by the bank and charged to the shareholders. In New Jersey the tax on both real estate and shares is for local purposes only. Shareholders are taxable where they reside on the actual value of their shares less a proportionate deduction for the real estate of the bank separately assessed. Only the tax on the shares of nonresidents of the state is paid by the bank and charged to the holders.

**Trust companies.** In New York the real estate of trust companies is taxed for state and local purposes and they pay a state tax of 1% on the amount of capital stock, surplus and undivided profits. In Massachusetts and Pennsylvania in addition to the taxes to which general business corporations are subject they pay taxes on property held in trust. In Massachusetts they are taxed at the average rate of taxation throughout the state (about 1½%) on personal property held in trust that would be tax-

able if in the hands of an individual trustee, and at  $\frac{3}{4}$  of this average rate on deposits that are held subject to withdrawal on not less than 10 days notice. In Pennsylvania they pay a tax  $\frac{3}{4}$  of 1% on certain securities held in trust and depositors are taxed at the same rate on time deposits bearing interest. In New Jersey they, like banks, are taxed for local purposes only. The real estate and the true value of capital stock less real estate, are taxed at the local rate.

**Savings banks.** Mutual savings banks are confined almost exclusively to the New England and eastern states and in all these states besides being taxed on real estate they pay a tax on deposits, surplus or earnings. All the New England states and New York follow the plan of exempting depositors and levying a tax at a low rate on the deposits or surplus or both deposits and surplus of the bank. In Maine the rate is  $\frac{3}{4}$  of 1% and in Rhode Island  $\frac{3}{4}$  of 1% on both deposits and surplus; in Connecticut it is  $\frac{1}{4}$  of 1% on deposits, in Massachusetts  $\frac{1}{2}$  of 1% on deposits, in Vermont  $\frac{1}{10}$  of 1% on deposits, in New Hampshire  $\frac{3}{4}$  of 1% on deposits; in New York 1% on the par value of surplus and undivided earnings. In all these states except New York real estate separately taxed is deducted and there are usually other deductions. In Massachusetts loans on mortgages on taxable real estate are deducted. In Pennsylvania mutual savings banks pay a tax of  $\frac{3}{4}$  of 1% on certain kinds of mortgages and other securities and a tax of 3% on net earnings or income. Depositors are liable to a tax of  $\frac{3}{4}$  of 1% on time certificates of deposit bearing interest. Savings banks in New Jersey are taxed at the local rate on the full amount of their property or valuable assets less funds invested in nontaxable mortgages and other securities but without any deduction for liabilities. They are therefore taxable on their deposits but the depositors are exempt.

**Insurance.** In the four states insurance companies are subject to the same taxes on real estate as general business corporations. In New York domestic life and fire companies are subject to a state tax of 1% on gross premiums from business in the state. In Massachusetts domestic life and fire companies having a capital

State and  
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able if in the hands of an individual trustee, and at  $\frac{3}{4}$  of this average rate on deposits that are held subject to withdrawal on not less than 10 days notice. In Pennsylvania they pay a tax  $\frac{3}{4}$  of 1% on certain securities held in trust and depositors are taxed at the same rate on time deposits bearing interest. In New Jersey they, like banks, are taxed for local purposes only. The real estate and the true value of capital stock less real estate, are taxed at the local rate.

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**Insurance.** In the four states insurance companies are subject to the same taxes on real estate as general business corporations. In New York domestic life and fire companies are subject to a state tax of 1% on gross premiums from business in the state. In Massachusetts domestic life and fire companies having a capital

**Insurance**

stock are, like other corporations, taxed at the average rate of taxation on the market value of shares less real estate separately taxed. All domestic life companies also pay a state tax of  $\frac{1}{4}$  of 1% on the net value of policies held by residents of the state, and mutual fire companies not subject to the tax on the market value of shares pay a state tax of 1% on gross receipts from premiums or assessments received in all states, except those in which they are subject to a like tax. In Pennsylvania domestic life and fire companies pay the same taxes as general business corporations, except that in the case of fire companies the tax on capital stock is at the rate of  $\frac{3}{10}$  of 1% instead of  $\frac{1}{2}$  of 1%. In addition they pay a state tax of  $\frac{5}{10}$  of 1% on gross premiums and assessments from business within the state. In New Jersey domestic life and fire companies other than mutual are taxed for local purposes on capital stock paid in and accumulated surplus, less real estate and nontaxable property in which the surplus is invested. Domestic fire companies, except mutual companies that do not issue policies on the stock plan also pay a state tax of 1% on gross premiums from business within the state and domestic life companies pay a state tax of 1% on their entire surplus and a tax of  $\frac{3.5}{100}$  of 1% on the gross amount collected from premiums in all states, but all taxes collected of foreign life companies under reciprocal provisions are deducted from the taxes due from domestic companies.

All but 12 states have reciprocal or retaliatory laws for the taxation of foreign insurance companies and the tax on all foreign insurance companies in California, Connecticut and Tennessee, on life companies in New Jersey, on fire and marine companies in Oklahoma, and on all except fire and marine companies in Illinois is determined entirely by reciprocal laws, no tax being imposed on companies of states that do not impose a tax on companies incorporated in these states. The preamble of the New Jersey act of 1891 taxing life companies recites that on account of the reciprocal laws of other states the companies of New Jersey are willing to pay an increased tax in order that existing taxes on foreign companies may be repealed.

**Incorporation tax.** Pennsylvania  $\frac{1}{8}$  of 1%, New York  $\frac{1}{10}$  of 1%, New Jersey  $\frac{1}{10}$  of 1% and Massachusetts  $\frac{1}{10}$  of 1% on amounts up to \$400,000 but nothing on capitalization in excess of that amount, \$200 being the maximum tax. A corporation with a capital of \$10,000,000 would pay \$33,333 in Pennsylvania, \$5,000 in New York, \$2,000 in New Jersey and \$200 in Massachusetts. In 1901 New York reduced its incorporation tax from  $\frac{1}{8}$  to  $\frac{1}{10}$  of 1% and greatly liberalized its corporation laws, so as to agree in most respects with those of New Jersey.

Incorporation  
tax  
Shares and  
bonds  
General busi-  
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tions  
New York

**Shares and bonds.** In New York and New Jersey shareholders in both domestic and foreign corporations are exempt from taxation on their shares, while in Massachusetts only shareholders in domestic corporations and in Pennsylvania only shareholders in domestic corporations and in foreign corporations doing business in the state are exempt. Bondholders in both domestic and foreign corporations are taxable in New York and Massachusetts. In Pennsylvania a tax at the rate  $\frac{2}{3}$  of 1% is paid by domestic corporations in behalf of the bondholders, and deducted from interest due. Bonds not subject to this tax are taxed in the hands of the holders at the same rate by the local assessors. In New Jersey bondholders in foreign corporations not taxed within the state and in other corporations claiming a deduction for debts due bondholders, are subject to taxation for local purposes.

## SUMMARY BY STATES

### General business corporations

**New York.** *Real estate* of all corporations is assessed by the local assessors for state and local purposes in the same manner as real estate of individuals. [*Gen. tax law* § 3, 21]

*Personal property.* All corporations except banks are also assessed by the local assessors either for both state and local purposes or for local purposes only, approximately on the actual value of capital employed less their liabilities and the assessed value of their real estate. [*Gen. tax law* § 12] Only such corporations are taxed for state purposes in this way as are not

General busi-  
ness corpora-  
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New York

subject to an annual state tax at a definite rate on capital and earnings or gross receipts under article 9 of the tax law. [*Gen. tax law* § 202]

The rule of assessment as laid down in various decisions construing § 12 of the tax law under which this tax is levied may be formulated as follows:

Appraise all real and personal property of the corporation except surplus and value arising from acquired business, superior management, a specially favorable market or some special franchise or monopoly, and add to the total all surplus profits or reserve funds exceeding 10% of the capital. [126 N. Y. 433; 7 App. Div. 31; 146 N. Y. 304; 161 N. Y. 195] From this aggregate deduct: 1) the assessed value of the real estate; 2) mortgage indebtedness and other liabilities [161 N. Y. 195]; 3) the shares of stock of other corporations taxable on their capital stock belonging to the corporation; 4) that proportion of the remainder that the shares held by the state and by incorporated literary and charitable institutions bear to the whole number of shares.

Foreign corporations are subject to assessment on all capital invested in the state, and are only entitled to a deduction of such debts as are incurred in the purchase of property in the state. [141 N. Y. 118; 147 N. Y. 31]

*State tax on capital stock.* This tax does not apply to: 1) laundry corporations, manufacturing corporations, to the extent of the capital actually employed in manufacturing and in the sale of the product manufactured, mining corporations wholly engaged in mining ores within the state, provided 40% of the capital stock of such laundry, manufacturing or mining corporation is invested and used within the state; 2) agricultural and horticultural societies and associations; 3) banks, trust companies, savings banks, institutions for saving, insurance, title guaranty and surety corporations; 4) companies actually operating elevated or surface railroads not operated by steam and companies formed for supplying water or gas or for electric or steam heating, lighting or power purposes. All other domestic and foreign corporations, joint stock companies and associations are required to pay annual state taxes as follows:



1 If dividends are 6% or more, tax at rate of  $\frac{1}{4}$  mill for each 1% of dividends, on par value of capital stock employed in state. General business corporations  
New York

2 If dividends are less than 6%, tax at rate of  $1\frac{1}{2}$  mills on par value of capital stock employed in state. Massachusetts

3 If no dividend, tax at rate of  $1\frac{1}{2}$  mills on appraised capital employed in state.

4 If more than one kind of capital stock and on one kind no dividend or a dividend less than 6%, and on the other a dividend of 6% or more has been declared, the appraised value of the former kind of stock is taxed at the rate of  $1\frac{1}{2}$  mills and the par value of the latter at the rate of  $\frac{1}{4}$  mill for each 1% of dividends declared. [*Gen. tax law* § 182, 183]

The tax is enforced and assessed by the state controller. Corporations subject to taxation on the actual value of their capital stock are required to make a return to the controller of such actual value which may not be less than the average price at which the stock has sold during the year. The controller is not bound by this return but has full power to make an examination and determine the valuation. The court has defined the actual value of the capital stock of a corporation to be the value of its assets, after deducting liabilities, and adding to the sum then remaining the value of the good will of the business, including its right to conduct it as a corporation. [154 N. Y. 101]

In order to subject a foreign corporation to the tax it is necessary both that it shall be doing business in the state and that some portion of its capital shall be employed in the state. [154 N. Y. 1]

**Massachusetts. Real estate.** Real estate and machinery of corporations is assessed by local assessors for state and local purposes [*P. S. ch. 11* § 3, 6; *ch. 13* § 38-41] with the exception of the property of public service corporations devoted to a public use which is exempt from taxation. [For the taxation of public service corporations see p. 634]

**Personal property of domestic corporations.** The state tax commissioner ascertains the market value of the shares of domestic corporations except banks, and estimates therefrom their fair

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ness corpora-  
tions  
Massachusetts  
Pennsylvania

cash value. From the aggregate value of the shares of each corporation as thus determined the valuation of real estate and machinery subject to local taxation within or without the state is deducted, and the remainder is taxed at the average rate of taxation throughout the state, obtained by dividing the aggregate assessed valuation of real and personal property in the state by the aggregate amount of taxes to be raised for state and local purposes. [*P. S. ch. 13 § 38-41*] The tax is paid into the state treasury and such a proportion of the tax of each corporation as corresponds to the proportion of its shares held by nonresidents of the state, is retained for state purposes and the remainder is distributed to cities and towns in proportion to the number of shares held by residents of each city and town. [*P. S. ch. 13 § 57*]

*Personal property of foreign corporations.* No special provision has been made for taxation of foreign corporations doing business in the state and they are taxed under the general law for taxation of all real estate and personal property. Not being residents of the state they can only be taxed on such personalty as is made taxable wherever situated, while personal property the situs of which follows the residence of the owner can not be taxed. Besides being taxed on their real estate and machinery they are subject to assessment, therefore, only on goods, wares, merchandise, and other stock in trade, including stock employed in the business of manufacturing or the mechanic arts. [*P. S. ch. 11, § 20 ¶ 1*]

*Pennsylvania.* *Real estate* is not subject to taxation for state purposes but is taxed wherever situated for local purposes, with the exception of the property of public service corporations essential to the exercise of their franchise which is exempt from both state and local taxation. [148 *Pa.* 162, 282; 168 *Pa.* 401. See p. 635 for the taxation of public service corporations]

*Capital stock.* Domestic corporations and foreign corporations doing business in the state, except banks, savings institutions, domestic fire and marine insurance companies and foreign insurance companies, pay a state tax of 5 mills on the appraised value

of their capital stock. The tax on capital is defined as a tax on franchises, property and entire earning capacity. [164 *Pa.* 284] The valuation may not be less than the average price at which the shares have sold during the year nor less than the value indicated by net earnings, dividends and increased surplus. A proportionate deduction is made for capital employed without the state. A portion of the capital stock of manufacturing corporations proportionate to the capital employed exclusively in manufacturing, is exempt from taxation. [*Pa.* '91, *ch.* 200, § 4; '93 *ch.* 288 § 1]

General business corporations  
Pennsylvania  
New Jersey

*Personalty and net earnings.* Personal property of corporations subject to the 5 mill tax on their shares, is not otherwise taxable. [*Pa.* '93 *ch.* 288 § 1] Corporations not subject to this tax pay a tax of 4 mills on certain kinds of personalty. [*Pa.* '91 *ch.* 200 § 1] The tax on personalty, though termed a state tax, is assessed by the local assessors and three fourths of it goes to the county and one fourth to the state. [*Pa.* '91, *ch.* 200 § 3] Corporations, except manufacturing, that are not subject to the 5 mill tax are also subject to state tax of 3% on their net earnings. [*Pa.* '89 *ch.* 332 § 27]

*Bonds. Loans.* The obligations of domestic and foreign corporations held by residents of the state are subject to a state tax of 4 mills on their par value. [*Pa.* '85 *ch.* 162 § 4; '91 *ch.* 200 § 1] The tax is paid by the corporations in behalf of the holders and deducted from the interest due. If no interest is paid no tax can be collected. [150 *Pa.* 312] The supreme court of the United States has held that a foreign corporation doing business in the state and paying interest to residents of the state by checks drawn without the state can not be compelled to pay the tax and deduct the amount from interest. [153 *U. S.* 628] This decision practically exempts foreign corporations from the tax. Residents holding the obligations of foreign corporations that do not pay this tax are required to list their obligations as personal property and pay a tax of 4 mills on their value. [*Pa.* '91 *ch.* 200 § 1]

*New Jersey.* *Real estate* of all corporations except railroad and canal companies is taxed where situated by local assessors for local and school purposes. [*G. S.* p. 3292 ¶ 62; *gen. corp. law*,

General busi-  
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New Jersey

1896 § 110] A state school tax sufficient to produce \$5 for each child of school age is levied on real and personal property. 90% of the amount collected in each county is returned to the county and the remaining 10% constitutes a "reserve fund" which is apportioned to the counties by the state board of education "equitably and justly according to its discretion." [N. J. '00 ch. 96 § 190-95]

*Local taxation of personal property.* Personal property of domestic and foreign corporations, except railway, canal, turnpike, insurance, banking and savings bank corporations, is taxed for local and school purposes in the same manner as the personal property of individuals. [Gen. corp. law § 110] Visible personalty is assessed in the tax district where found and invisible personalty in the district where the principal office of the corporation is located or its operations carried on. [G. S. p. 3294 ¶ 67; p. 3345 ¶ 291; 23 Vroom 308] The value of the corporate franchise can not be included in the valuation of the property for taxation. [27 Vroom 471] Corporations have the same right to a deduction for debts due to creditors residing within the state as have individuals. In case a deduction is claimed an affidavit must be filed with the assessor stating the name and residence of the creditor [13 Vroom 357] and it is the duty of the assessor to notify the assessor of the taxing district in which the creditor resides. [Report state board of taxation, 1900 p. 34] No mortgage on real or personal property whether given by an individual or by a corporation is taxed unless a deduction therefor is claimed by the owner of the mortgaged property. [G. S. p. 3319 ¶ 198; p. 3304 ¶ 113; p. 2109 ¶ 37] Corporations, domestic or foreign, are not taxed on personal property situated and taxed without the state. [29 Vroom 633; 34 Vroom 525]

*State taxation of capital stock.* All domestic corporations, except public service corporations, insurance corporations and manufacturing or mining corporations 50% of whose capital stock is invested in manufacturing or mining within the state, are subject to an annual state license fee or franchise tax on the par value of capital stock issued and outstanding, at the rate of  $\frac{1}{10}$

of 1% on amounts not exceeding \$3,000,000,  $\frac{1}{10}$  of 1% on amounts over \$3,000,000 and not exceeding \$5,000,000, and \$50 for each \$1,000,000 in excess of \$5,000,000. [N. J. '92 ch. 76 § 4] New Jersey corporations organized to carry on business in other states form by far the largest class of corporations subject to this tax.

Public service  
corporations  
New York

Foreign corporations doing business in the state, except public service and insurance corporations, are not subject to any tax, either real or personal, for state purposes.

### Public service corporations

Under the term public service corporations as here used are included all transportation and transmission corporations and all corporations exercising the right of eminent domain or any franchise to use streets or public places.

**New York.** *Real estate* of all public service corporations is assessed by the local assessors for state and local purposes in the same manner as real estate of individuals. The value of property in streets and public places, however, is included in the valuation of the "special franchise" and this is defined as real estate in the tax law and assessed by the state board of tax commissioners as described below.

In assessing the portion of a railroad situated in any taxing district, merely its structural value or cost of replacement can be taken into consideration and not its value as a part of a system [152 N. Y. 490]: in the case of telephone lines the cost of replacement plus the actual cost incurred in obtaining the legislative license or franchise, is the proper basis. [126 N. Y. 166]

*Personal property assessed locally.* All public service corporations are also assessed for local purposes by local assessors as are other corporations, approximately on the actual value of capital employed less liabilities and less the assessed value of real estate. [Gen. tax law § 12. For more detailed description see p. 625] Value due to acquired business, superior management, a specially favorable market or some special franchise or monopoly, is not included in the appraisal. As most public service corporations are bonded to an amount exceeding their personalty as thus

Public service  
corporations  
New York

estimated, the deduction of liabilities results in their practical exemption from the tax.

*State tax on capital stock or earnings.* 1 All public service corporations, except water, lighting, heating or power companies or elevated or surface railroads not operated by steam, are subject like corporations generally to a state tax on their capital stock. Briefly stated, a tax of  $\frac{1}{4}$  of a mill for each 1% of dividends declared but not less than  $1\frac{1}{2}$  mills in any case, is levied on the par value of such portion of the capital stock as the amount of capital invested within the state bears to the entire capital; or if no dividend has been declared the tax at the minimum rate ( $1\frac{1}{2}$  mills) is levied on the appraised capital employed within the state. [*Gen. tax law* § 182. For more detailed description see p. 326]

2 In addition to the above tax, a tax of  $\frac{1}{2}$  of 1% is levied on the gross earnings of transportation and transmission corporations and joint stock associations, on business originating and terminating within the state. [*Gen. tax law* § 184] All earnings on business of an interstate character are excluded. Elevated and surface railroads not operated by steam and water, gas, heating, lighting and power companies are exempt from this tax.

3 Companies actually operating an elevated or surface railroad not operated by steam, must pay an annual state tax of 1% on gross receipts within the state and 3% on the amount of dividends declared in excess of 4%. [*Gen. tax law* § 185] If the road is not in operation the company is exempt from this tax but subject to the general tax on capital stock described in ¶ 1.

4 Every corporation, joint stock company or association formed for supplying water or gas, or for electric or steam heating, lighting or power purposes must pay an annual state tax of  $\frac{1}{2}$  of 1% on gross earnings within the state and 3% on the amount of dividends declared in excess of 4%. [*Gen. tax law* § 186]

*Franchise tax.* Public service corporations are also subject to taxation for state and local purposes at the rate levied on other property, on the actual value of their franchise to use streets, highways or public places, as determined by the state board of tax commissioners. The act of 1899 [*N. Y. '99 ch. 712*] es-

tablishing this tax amends the definition of real estate [*Gen. tax law* § 2] so as to include franchises to use public places, calling them "special franchises" to distinguish them from the franchise to exist as a corporate body which is subject to the state tax on capital stock. [see p. 332] The "special franchise" is defined so as to include the right to use public places and also the value of all tangible property in public places.

Public service  
corporations  
New York

The state board has never made known any precise rule of determining the value of special franchises and as yet no case has been passed on by the courts. It is understood that the board has followed the method outlined in the opinion rendered to it by J. Newton Fiero its special counsel in the matter. Mr Fiero sums up his conclusions as follows:

It would seem, therefore, that the practical and practicable method for arriving at the entire value of corporate assets with a view to assessment of the "special franchise" necessitates a consideration of the cost of reproduction of the real estate, of the earning capacity of the property as a whole, and as an element going to make up the corporate value by showing the earning capacity, the value of the capital stock and surplus, and the actual value of the bonded indebtedness. That in addition there must be considered all the surrounding and attending facts and circumstances which tend to enhance value or aid in ascertaining value, as well as such facts and circumstances of a character which in anywise tend to detract from or depreciate the value of the corporate property, as, for instance, the amount of floating debt or liabilities of any kind not included in bonded indebtedness. [J. NEWTON FIERO, *Assessment of special franchises*, Albany, 1899]

Mr Fiero goes on to state that from this valuation of corporate assets should be deducted: 1) real estate not included in the definition of "special franchise"; 2) tangible personal property; 3) "the value of the franchise to be a corporation; that is, the business opportunity and capacity of the corporation . . . including also the choice and conduct and the good will of the business". The remainder is the value of the "special franchise".

Public service  
corporations  
Massachusetts

The valuation of the special franchise as determined by the state board is placed on the assessment rolls in each tax district and taxed at the same rate as other property for local and state purposes. If however any corporation assessed pays any franchise tax to any city, town or village in accordance with an existing agreement, the amount so paid is deducted from the tax on the special franchise levied for city, town or village purposes.

**Massachusetts. Real estate.** Strictly speaking the property of a corporation to the extent to which it is devoted to a public use is exempt from taxation. As property can not be taken by eminent domain except for a public use it follows that all property so taken is exempt. In the case of *Worcester vs. Western railroad*, 4 *Met.* 564, the court held that only property outside of a railroad's right of way was taxable. The state however actually succeeds in taxing property of corporations devoted to public uses through its general tax on the market value of shares less real estate and machinery locally assessed; [*P. S. ch. 13 § 38-41*] this tax is called a franchise tax and legally a tax on the franchise of a corporation is not a tax on its property. [*12 Mass.* 252] All real estate and machinery of public service corporations except such as is devoted in a legal sense to a public use is assessed by the local assessors for state and local purposes in the same manner as real estate of individuals. [*P. S. ch. 11 § 3; ch. 13 § 38-41*]

**Personal property. Capital stock.** Public service corporations are subject to the general "franchise tax" on the market value of shares, less real estate and machinery locally assessed. [*P. S. ch. 13 § 38-41; Mass. '85 ch. 238; '86 ch. 270; '98 ch. 417*] The tax applies to all domestic corporations and to foreign telegraph and street railway companies operating within the state. In the case of railroads, street railways and telegraph companies only such a proportion of the aggregate value of the shares is taken as the length of line in the state bears to the total length; and in the case of telephone companies only such a proportion as the number of telephones within the state bears to the total number.

The tax is imposed at the average rate of taxation throughout the state, obtained by dividing the aggregate assessed valuation of real and personal property in the state by the aggregate amount of taxes to be raised for state and local purposes. The



tax is paid into the state treasury and such a proportion of the tax of each corporation, except street railways, as corresponds to the proportion of shares held by residents of the state is retained for state purposes and the remainder is distributed to cities and towns in proportion to the number of shares held by residents of each.

Public service  
corporations  
Massachusetts  
Pennsylvania

*Street railways.* Besides being subject to the above described general franchise tax on the value of shares, street railways are required to pay the following special taxes: 1) a tax equal to the excess of dividends paid over 8%, provided the company has paid since commencing operation dividends averaging 6%; 2) 1% on gross receipts if less than \$4000 a mile, 2%, if from \$4000 to \$7000 a mile; 2½%, if from \$7000 to \$14,000; 2½%, if from \$14,000 to \$21,000; 2¾%, if from \$21,000 to \$28,000; 3% if more than \$28,000.

The tax on gross receipts is paid into the city or town treasury and is assessed by the local assessors on such a proportion of the aggregate gross receipts as length of track within the city or town bears to its entire length. The tax on dividends is paid into the state treasury and together with the entire amount of the franchise tax on the value of the shares is apportioned back to the cities and towns in which the street railways are situated in proportion to length of the track. [*Mass.* '98 ch. 578]

*Pennsylvania. Real estate.* Public service corporations are exempt from all local taxation on so much of their property as is essential to the exercise of their franchise.<sup>1</sup> Railroad tracks, rolling stock, stations, telegraph lines, etc. are thus exempted. [148 *Pa.* 162; 148 *Pa.* 282; 168 *Pa.* 401] Real estate is not taxed for state purposes in Pennsylvania.

*Capital stock and bonds.* Public service corporations like other corporations are subject to a state tax of ½ of 1% on their capital stock, i. e. their franchises, property and entire earning capacity; and domestic corporations are also subject to the state tax of ½ of 1% on their bonds or other obligations held by residents of the state, which is deducted from interest due the holders. [For more extended description see p. 628]

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<sup>1</sup>Except railroad property in Philadelphia and Pittsburg.

Public service  
corporations  
New Jersey

*Gross receipts.* Transportation and transmission companies of every kind, domestic and foreign, pay a state tax of  $\frac{1}{2}$  of 1% on their gross receipts from passengers and freight transported wholly within the state, or from telegraph, telephone or express business done wholly within the state. Electric light companies are subject to a like tax on gross receipts from their electric lighting business. [*Pa.* '89 ch. 322 § 23; '99 ch. 66 § 2]

*New Jersey.* Real estate of public service corporations except railroads and canals is taxed by the local assessors for local and school purposes.

*Personal property* of public service corporations, except steam railroads and canals, is taxed for local purposes in the same manner as personal property of individuals. [*Gen. corp. law* § 110] The valuation of the corporate franchise can not be included in the valuation of the property for taxation, and debts due creditors residing within the state may be deducted. [For more extended description see p. 630. 13 Vroom 357] Corporations, domestic or foreign, can only be taxed on personal property actually within the state. [29 Vroom 663]

*Franchises.* All public service corporations, except steam railroads and canals, using streets, highways or public places are required to pay an annual franchise tax of 2% on gross receipts. [*N. J.* '00 ch. 195] The tax is apportioned by the state board of assessors to the taxing districts in proportion to the assessed value of property therein in streets, highways and public places, and is then assessed and collected by the local authorities and devoted to local purposes. Express companies and palace sleeping car companies pay a state tax of 2% on gross receipts from business done in the state. [*N. J.* '92 ch. 76]

*Railroads and canals.* The real and personal property including franchises of railroads (except street railways) and canals is taxed for state purposes at the rate of  $\frac{1}{2}$  of 1% on its actual value as determined by the state board of assessors, but property not used for railroad or canal purposes is not included and is assessed by local assessors for local purposes in the same manner as other real estate. The valuation may be based on the aggregate market value of shares and bonds less debts due creditors within

the state. [20 *Vroom* 1, 7-9] A tax for local purposes is also assessed by the state board of assessors on branch roadbeds or waterways and all other property except: 1) the "main stem" of each railroad or canal, including the roadbed not exceeding 100 feet wide with tracks and passenger stations, and 2) rolling stock, canal boats and all tangible and intangible personalty. The tax is at the local rates of taxation for other property in the tax districts where the property is situated, but the rate may not exceed 1%. Each tax district receives from the state the amount collected on property within it.

Public service  
corporations  
*New Jersey*

State and  
national banks  
*New York*

A railroad or canal company is entitled to a deduction from the value of its property for purposes of state and local taxation, of debts due to creditors residing in the state, but in case a deduction is claimed the names and residences of creditors must be given and a tax on the amount of the debt is assessed by the state board to the creditor; likewise in case a deduction is claimed on account of any mortgage, the amount allowed and deducted is taxed to the holder of the mortgage. [*N. J.* '88 *ch.* 208; '88 *ch.* 259; '91 *ch.* 98; '94 *ch.* 185]

#### State and national banks

**New York.** Real estate is assessed where situated, for state and local purposes.

Previous to 1901 shares of stock were assessed at the regular rate for state and local purposes on their actual or market value less a proportionate deduction for real estate; and each shareholder was entitled to all deductions allowed by law in assessing other personal property. The act of 1901 substitutes a tax of 1% for local purposes on the value of the shares, determined by adding together capital stock, surplus and undivided profits; and permits no deductions for real estate owned by the bank or for the personal indebtedness of the holders of the shares.<sup>1</sup>

<sup>1</sup>This provision denying the right to deduct personal indebtedness has not yet been passed on by the courts. In 1866 an act was passed which while not denying in express terms the same right to deduct personal indebtedness as in the case of other personal property, made no provision for such deduction, and the United States supreme court [100 *U. S.* 539; 105 *U. S.* 305] held that the act was in conflict with the national banking act in that it taxed bank shares at a greater rate than other moneyed capital and while not void, relief would be granted in any case where deduction of indebtedness was denied.

State and  
national banks  
*Massachusetts*  
*Pennsylvania*  
*New Jersey*

Shareholders are assessed, not in the district of their residence, but in the district where the bank is located and the bank is required to pay the tax in behalf of the holders and has a lien on the shares for the amount paid. [*Gen. tax law* § 13, 23, 24]

**Massachusetts.** Real estate is assessed where situated, for state and local purposes.

Shares of stock are assessed to each individual holder at their fair cash value less the proportionate part of the value of the real estate of the bank. The shareholders are assessed, not in the city or town of their residence, but in the city or town where the bank is located, at the rate, state and local, at which other property is assessed. The bank is required to pay the tax in behalf of the shareholders and it is given a lien on the shares for all taxes paid. The tax is apportioned between the state and the cities and towns in the same way as the general tax on domestic corporations; each city and town receives the tax collected on the shares held by its residents and the state receives the tax collected on the shares of nonresidents of the state. [*P. S. ch.* 13 § 8-19]

**Pennsylvania.** Real estate is assessed where situated, for local purposes.

Shares of stock are subject to a state tax of  $\frac{2}{3}$  of 1% on their actual value, determined by adding together capital stock paid in, surplus and undivided profits. Though nominally a tax on the shareholders it is actually paid by the bank and charged to the shareholders. The bank has the option instead of paying a tax of  $\frac{2}{3}$  of 1% on the actual value of its shares of paying a tax of 1% on their par value. [*Pa. '97 ch.* 227]

**New Jersey.** Real estate is assessed where situated for local and school purposes.

Shareholders are taxable for local and school purposes in the tax district where they reside on the actual value of their shares less a proportionate deduction for real estate of the bank separ-

ately assessed. The tax on shares if nonresidents of the state is assessed in the district where the bank is located and it is paid by the bank and charged to the holders. [N. J. '00 ch. 107]

Trust companies  
New York  
Massachusetts

### Trust companies

**New York.** 1 Tax on real estate, for state and local purposes.

2 State tax of 1% on the amount of capital stock, surplus and undivided profits. [Gen. tax law § 187a, 202, as amended by N. Y. '01 ch. 132]

**Massachusetts.** 1 Tax on real estate, where situated, for state and local purposes.

2 Tax on market value of shares less real estate separately assessed. [P. S. ch. 13 § 38-41] The tax is imposed at the average rate of taxation throughout the state, obtained by dividing the aggregate assessed valuation of real and personal property in the state by the aggregate amount of taxes to be raised for state and local purposes. The tax is paid into the state treasury and such a proportion of the tax of each corporation as corresponds to the proportion of its shares held by nonresidents of the state is retained for state purposes and the remainder is distributed to cities and towns in proportion to the number of shares held by residents of each city and town.

3 Tax on all personal property held in trust that would be taxable if held by an individual trustee. This tax is levied by the state tax commissioner at the average rate above described. [Mass. '88 ch. 413]

4 A tax at  $\frac{1}{4}$  of this average rate is levied on deposits that are not held subject to withdrawal on demand or on less than 10 days notice. This tax and also the tax on property held in trust is paid into the state treasury but the amount assessed on trust funds and deposits held by companies for persons residing in cities and towns of the state, is apportioned back to the cities and towns, and the amount assessed on trust funds and deposits for persons not residing in the state, is retained for state purposes. [Mass. '88 ch. 413]

Trust com-  
panies  
*Pennsylvania*

**Pennsylvania.** 1 Tax on real estate where situated for local purposes.

*New Jersey*

2 State tax of  $\frac{1}{2}$  of 1% on actual value of capital stock; i. e.

Savings banks  
*New York*

franchise, property and entire earning capacity. [See p. 628]

*Massachusetts*

*Pennsylvania*

3 State tax of  $\frac{1}{10}$  of 1% on obligations or bonds held by residents of the state. This tax though collected from the companies is deducted by them from interest due the holders of the obligations taxed. [See p. 629]

4 Tax of  $\frac{2}{3}$  of 1% on taxable securities held in trust. [*Pa.* '91 ch. 200 §1]

**New Jersey.** 1 Real estate is taxed where situated for local and school purposes.

2 The true value of capital stock issued and outstanding less the assessed value of real estate separately taxed, is taxed at the local rate for local purposes, in the district where the office of the company is situated. The capital stock, property and franchises of trust companies are expressly exempt from all other taxation. [*N. J.* '99 ch. 174 § 29; *Fidelity trust co. v. Vogt*, *N. J.* supreme court Feb. term 1901]

#### Savings banks

**New York.** Savings banks are taxed on real estate for state and local purposes, and pay a state tax of 1% on the par value of surplus and undivided earnings. Depositors are exempt from taxation on their deposits. [158 *N. Y.* 414; *Gen. tax law* § 4 ¶ 14, § 187b § 189 ¶ 8; 22 *Misc.* 477]

**Massachusetts.** Real estate is assessed where situated for state and local purposes. Depositors are exempt from taxation on their deposits but the bank pays a state tax of  $\frac{1}{2}$  of 1% on its deposits, less the amount invested in real estate and in mortgages on taxable real estate. The entire tax is retained for state purposes. [*P. S. ch.* 13 § 20-23]

**Pennsylvania.** Savings institutions having a capital stock are taxed in the same manner as state and national banks (see p. 638). Mutual saving institutions are subject: 1) to the local tax on real estate; 2) to the 4 mill tax on taxable bonds, mortgages and other

securities held in their own right, three fourths of which goes to the county and one fourth to the state [*Pa.* '91 *ch.* 200 § 1]; and 3) to the state tax of 3% on net earnings or income. [*Pa.* '89 *ch.* 332 § 27] Deposits are not taxable to the bank but time certificates of deposit bearing interest are taxable to the depositors at the 4 mill rate. [*Pa.* '91 *ch.* 200 § 1]

Savings banks  
New Jersey

Insurance  
companies  
New York

**New Jersey.** Savings banks<sup>1</sup> are taxed for local and school purposes on the full amount of their property and valuable assets, without any deduction for debts or liabilities. They are therefore taxable on their deposits but the depositors are exempt. [*G. S.* p. 3296 ¶ 75; 8 *Vroom* 408] Most of their funds are however invested in mortgages on which the owner of the land pays taxes, or in nontaxable securities, and it seems probable that these may be deducted from the total valuation of their property. [*G. S.* p. 3319 ¶ 198; *Report New Jersey state board of taxation*, 1898, p. 107]

#### Insurance companies

**New York.** *Life insurance.* 1 Real estate is assessed where situated, for state and local purposes.

2 Domestic and foreign corporations having a capital stock are nominally subject to taxation for state and local purposes in the same manner as other corporations, approximately on actual value of capital employed less liabilities and real estate. [*Gen. tax law* § 12. *See* p. 8] But the accumulations of domestic life companies held for the exclusive benefit of the insured are exempt, [*Gen. tax law* § 4 ¶ 14] as is also the personal property in excess of \$100,000 of domestic companies incorporated before April 10, 1849. [*Gen. tax law* § 4 ¶ 17] Foreign corporations are subject to assessment on all capital invested in the state and are only entitled to a deduction of such debts as are incurred in the purchase of property in the state. [141 *N. Y.* 118; 147 *N. Y.* 31]

3 Domestic companies and companies incorporated without the United States, except fraternal beneficiary societies, are sub-

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<sup>1</sup>New Jersey savings banks have no capital stock.

Insurance  
companies  
New York

ject to a state tax of 1% on gross premiums received in the state. [*Gen. tax law* § 187 as amended by N. Y. '01 ch. 118]

4 Foreign corporations are also subject to a state tax of 2% on gross premiums received in the state. [*Gen. insurance law* § 34]

5 Other taxes on foreign companies governed by reciprocal provisions. [*Gen. insurance law* § 33]

*Fire insurance.* 1. Domestic and foreign fire insurance companies are subject to the taxes on real estate and capital employed, described in paragraphs 1 and 2 under life insurance.<sup>1</sup>

2 Domestic fire companies, except town or county cooperative companies, are subject to a state tax of 1% on gross premiums from business in state. [*Gen. tax law* § 187]

3 Companies incorporated without the United States are subject to a state tax of  $\frac{1}{2}$  of 1% on gross premiums from business in the state. [*Gen. tax law* § 187]

4 Agents of foreign companies in villages and cities having a fire department, except Buffalo, are required to pay a local tax of 2% on premiums received on property within the city or village. [*Gen. insurance law* § 133; *Greater New York charter* § 799]

5 Other taxes on foreign companies governed by reciprocal provisions.

*Insurance other than life and fire.* 1 Domestic and foreign companies are subject to the taxes on real estate and capital employed described in paragraphs 1 and 2 under life insurance.<sup>1</sup>

2 All companies other than fire and life, except foreign marine companies, health and casualty companies incorporated without the United States, town or county cooperative companies, fraternal beneficiary societies and companies for the insurance of domestic animals, are required to pay a state tax of 1% on gross premiums from business in the state. Marine companies incorporated without the United States pay a state tax of  $\frac{1}{2}$  of 1%. [*Gen. tax law* § 187]

3 Other taxes on foreign companies governed by reciprocal provisions.

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<sup>1</sup>The exemptions described in paragraph 2 apply only to domestic life companies, but the personal property of all fire, casualty and surety companies is exempt to the extent of the value of unearned premiums required to be charged as a liability. [*Gen. tax law* § 4 ¶ 14.]



**Massachusetts. Life insurance.** 1 Real estate is taxed where situated for state and local purposes.

Insurance  
companies  
Massachusetts  
Pennsylvania

2 Every domestic company having a capital stock is taxed on the market value of its shares, less real estate separately assessed, under the general law for taxation of domestic corporations. [P. S. ch. 13 § 38-41] The tax is assessed by the state tax commissioner at the average rate of taxation in the state. Such a proportion of the tax of each corporation as corresponds to the proportion of its shares held by nonresidents of the state, is retained for state purposes and the remainder is distributed to cities and towns in proportion to number of shares held by each.

3 Domestic and foreign life companies both mutual and stock, pay a state tax of  $\frac{1}{4}$  of 1% on the net value of policies held by residents of the state. [P. S. ch. 13 § 25]

4 Other taxes on foreign companies governed by reciprocal provisions. [P. S. ch. 13 § 31; Mass. '94 ch. 522 § 85]

**Insurance other than life.** 1 Real estate and reciprocal taxes as described in paragraphs 1 and 4 under life insurance.

2 Domestic companies having capital stock divided into shares, and mutual fire and marine companies with a guaranty capital or permanent fund are subject to the tax described in paragraph 2 under life insurance. [P. S. ch. 13 § 50]

3 Mutual domestic companies not subject to above tax on capital or permanent fund are subject to a state tax of 1% on gross receipts from premiums and assessments; but premiums received in other states where they are subject to a like tax, are deducted. [P. S. ch. 13 § 29]

4 Foreign companies are subject to a state tax of 2% on premiums received in the state. [P. S. ch. 13 § 30]

**Pennsylvania. Domestic companies.** 1 Real estate is taxed where situated for local purposes.

2 State tax of  $\frac{1}{2}$  of 1% on actual value of capital stock, i. e. franchise, property and entire earning capacity; except that in the case of fire and marine companies the rate is  $\frac{1}{10}$  of 1% instead of  $\frac{1}{2}$  of 1%. [Pa. '91 ch. 200 § 4; '93 ch. 288 § 1]

Insurance  
companies  
Pennsylvania  
New Jersey

3 State tax of  $\frac{2}{5}$  of 1% on bonds or obligations held by residents of the state. The tax is deducted from interest due holders. [*Pa. '91 ch. 200 § 1*]

4 State tax of  $\frac{1}{4}$  of 1% on gross premiums and assessments from business within the state. This tax applies to all domestic companies and associations except companies doing business on the purely mutual plan without any capital stock or accumulated reserve and purely mutual beneficial associations whose funds for the benefit of members are made up entirely of weekly or monthly contributions of members and accumulated interest thereon. [*Pa. '89 ch. 332 § 24*]

5 Mutual companies not subject to the tax on premiums are subject to state tax of 3% on net earnings or income. [*Pa. '79 ch. 122 § 10*]

6 Mutual companies without capital stock are subject to the tax of  $\frac{2}{5}$  of 1% on taxable mortgages, bonds and other securities held. [*Pa. '91 ch. 200 § 1*]

*Foreign companies.* 1 Real estate is taxed for local purposes.

2 Tax of 2% on gross premiums from business within the state.<sup>1</sup> One half of the amount collected from foreign fire insurance companies, is apportioned by the state to the cities and boroughs from which the premiums were received. [*Pa. '73 ch. 3 § 10; '89 ch. 332 § 24; '95 ch. 289 § 2*]

*New Jersey. Life insurance.* 1 Real estate is taxed where situated for local and school purposes.

2 Domestic companies pay a state tax of 1% on their entire surplus and also a state tax of  $\frac{2.5}{100}$  of 1% on the gross amount collected from premiums in all states. The tax on foreign life companies is governed entirely by a reciprocal or retaliatory law and all taxes collected of foreign companies are deducted from the amount that domestic companies would otherwise be required to pay. [*N. J. '92 ch. 76; '91 ch. 20 § 1*]

3 Domestic life insurance companies other than mutual also pay a tax for local purposes at the local rate on the full amount of their capital stock paid in and accumulated surplus, less real

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<sup>1</sup> Allowance is made for return and reinsurance premiums.

estate in New Jersey and other states and less the value of non-taxable property in which the surplus is invested. [*G.S. p. 3296, § 75*]

Insurance  
companies  
New Jersey

*Fire insurance.* 1 Real estate is taxed where situated for local and school purposes.

Incorporation  
and license tax  
New York

2 Domestic fire insurance companies are subject to the local tax on capital stock and surplus described in paragraph 3 under life insurance.

3 Domestic companies are subject to a state tax of 1% on gross premiums from business in the state except mutual companies that do not issue policies on the stock plan. [*N. J. '92 ch. 76 § 4*]

4 Foreign fire insurance companies are subject to a state tax of 2% on premiums received in the state; but companies of states imposing a greater tax on New Jersey companies are subject to an equal retaliatory tax. [*G. S. p. 1744 § 3; p. 1745 § 11*]

*Insurance other than fire and life.* 1 Real estate is taxed where situated for local and school purposes.

2 Domestic companies are subject to the same taxes as domestic fire companies.<sup>1</sup>

3 Foreign companies are subject to the state tax of 3% on gross premiums from business in the state, but companies of states imposing a greater tax on New Jersey companies are subject to an equal retaliatory tax.<sup>1</sup> [*G. S. p. 1744 § 3, p. 1745 § 11; N. J. '92 ch. 76 § 4*]

#### Incorporation and license tax

**New York.**  $\frac{1}{2}\%$  of 1% on the authorized capital stock of domestic corporations except state and national banks and building, mutual loan, accumulative fund and cooperative associations. A like tax is imposed on any subsequent increase in the authorized capital, and in case of the consolidation of existing corporations the new corporation is required to pay a like tax on the amount of its capital stock in excess of the aggregate capital stock of the consolidated corporations. [*Gen. tax law § 180*] Foreign corporations, except banking, cooperative fraternal insurance

<sup>1</sup> Domestic and foreign surety companies doing business under authority of '95 ch. 184 pay a state tax of 2% on gross receipts on business within the state. ['96 ch. 219]

Incorporation  
and license tax  
*Massachusetts*

*Pennsylvania*  
*New Jersey*

Shares and  
bonds  
*New York*

*Massachusetts*

companies, and building and loan associations, are required to pay a license tax of  $\frac{1}{8}$  of 1% on the capital stock employed within the state during the first year of carrying on business in the state and a tax at the same rate on every subsequent increase. [*Gen. tax law* § 181]

**Massachusetts.**  $\frac{1}{8}$  of 1% on authorized capital stock of domestic corporations and on every subsequent increase; but not less than \$5 in any case, and not more than \$200 for both original capital and subsequent increase. [*P. S. ch. 106* § 84] No similar tax is imposed on foreign corporations doing business in the state.

**Pennsylvania.**  $\frac{1}{8}$  of 1% on authorized capital stock of domestic corporations except building and loan associations, and same on every subsequent increase. [*Pa. '99 ch. 120* § 1] No similar tax is imposed on foreign corporations doing business in the state.

**New Jersey.**  $\frac{1}{8}$  of 1% on authorized capital stock of domestic corporations and same on every subsequent increase, and on every increase of aggregate capitalization through consolidation; but the tax for incorporation may not be less than \$25, nor for any increase less than \$20. A fee of \$10 is charged for filing a copy of the charter of a foreign corporation and issuing a certificate of authority to transact business. [*Gen. corp. law 1896* § 114] But if New Jersey corporations are charged a greater fee for doing business in any state an equal fee is charged the corporations of such state for doing business in New Jersey. [*Gen. corp. law 1896* § 101]

#### Shares and bonds

**New York.** Residents of the state owning shares of domestic or foreign corporations, are exempt from taxation on their shares, but bondholders are assessable on their bonds. [4 *Hun* 595; *affirmed*, 62 *N. Y.* 630]

**Massachusetts.** Shareholders in all domestic corporations, and in foreign telegraph and street railway corporations operating within the state, are exempt from taxation on their shares. [*P. S. ch. 13* § 57] Shareholders in foreign corporations and bond-

holders in both domestic and foreign corporations are subject to assessment on their shares or bonds by the local assessor for state and local purposes. Shareholders in foreign manufacturing corporations taxed within the state on real estate and machinery, are entitled to a proportionate reduction for the value of real estate and machinery thus taxed. [*P. S. ch. 11 § 20 ¶ 2*]

Shares and  
bonds  
Pennsylvania  
New Jersey

**Pennsylvania.** Shareholders in all domestic corporations and in foreign corporations doing business in the state, except banks, savings institutions and foreign insurance companies, are exempt from taxation on their shares, [*Pa. '91 ch. 200 § 1*] Shareholders in other corporations are assessed on their shares by the local assessors at the rate of 4 mills on the dollar. Three fourths of the tax goes to the county and the remainder to the state. [*Pa. '91 ch. 200 § 3*. For taxation of bonds see p. 629]

**New Jersey.** Shareholders in domestic and foreign corporations are exempt from taxation on their shares. [*17 Vroom 194; 26 Vroom 110*] Bondholders in domestic corporations and in foreign corporations doing business in the state are exempt unless the corporation claims a deduction from its appraised valuation on account of debts of bondholders. [*G. S. p. 3319 ¶ 198; p. 3304 ¶ 113; p. 2109 ¶ 37*] Bondholders in foreign corporations not taxed within the state are liable to taxation on their bonds for local purposes.

#### AUTHORITIES CONSULTED .

A list of the books exclusive of session laws, compiled statutes, law reports and digests, that were most useful in making this study.

#### New York

**Controller.** Annual reports.

**Chamber of commerce of the state of New York.** Report of committee on state and municipal taxation, on the system of taxation of New York. 86 p. N. Y. 1900. Press of the chamber of commerce.

**Cumming, R. C. & Gilbert, F. B.** Tax laws of the state of New York. 602 p. N. Y. 1898. Baker, Voorhis & Co.

**Davis, J. T.** Compilation of constitutional provisions statutes and cases relating to the system of taxation in the state of New York. 494 p. Troy 1898. Troy Press company.

**Fiero, J. N.** Assessment of special franchises. 23 p. Albany 1899. Brandow.

**Green, H. N.** Tax law of New York state. 304 p. Albany 1899. Bender.

**Hammond, J. H.** Taxation of business corporations in New York state. 314 p. N. Y. 1901. Baker, Voorhis & Co.

**Merrill, J. J.** Manual of the taxation of corporations by the state of New York for state purposes. 138 p. Albany 1897. Lyon.

**Report of the joint committee on taxation.** (Senate document 7. 37 p. 1900)

**Tax commissioners.** Annual reports.

#### **Massachusetts**

**Auditor.** Annual reports.

**Report of the commission appointed to inquire into the expediency of revising and amending the laws of the commonwealth relating to taxation.** 322 p. Bost. 1897.

**Statutes relating to taxes and excises for revenue upon corporations in Mass.** 45 p. Bost. 1898. Wright & Potter, state printers.

**Tax commissioner.** Annual reports.

**Taxation by the local assessors in Mass., including statutes and amendments thereof relating to the collection of taxes.** (Tax document no. 1. Bost. 1898)

#### **Pennsylvania**

**Auditor-general.** Annual reports.

**Eastman, F. M.** Taxation for state purposes in Pennsylvania, containing full information in regard to every state tax and license. 284 p. Phil. 1898. Kay & Brother.

**Revenue laws; acts of the general assembly of Pa. to provide revenue by taxation.** 35 p. 1896. Clarence M. Busch.

**Internal affairs, Secretary of.** Annual reports: pt 2. Assessments and taxes.

**Tax conference of Pennsylvania.** Report on valuation, taxation and exemption in the commonwealth of Pennsylvania. 34 p. Harrisburg 1892.

#### **New Jersey**

**Assessors, Board of.** Annual reports.

**Taxation, Board of.** Annual reports. 10th annual report, 1900, p. 31-187 Digest and compilation of the laws and decisions relating to the assessment and collection of taxes in the state of New Jersey.

**Controller.** Annual reports.

**Dill, J. B.** General corporation act of New Jersey. 244 p. Trenton 1900. Dep't of state.

**Report of the commission appointed by Gov. Griggs to investigate the subject of taxation in New Jersey.** 130 p. Trenton 1897.

**COMPILATION OF CORPORATION TAX LAWS****NEW YORK****Section of general tax law, ch. 908, 1896**

*Amended to May 1, 1901, relative to taxation of corporations*

§ 2 **Definitions.** . . 3 The terms "land," "real estate," and "real property," as used in this chapter, include the land itself above and under water, all buildings and other articles and structures, substructures and superstructures, erected upon, under or above, or affixed to the same; all wharves and piers, including the value of the right to collect wharfage, crannage or dockage thereon; all bridges, all telegraph lines, wires, poles and appurtenances; all supports and inclosures for electrical conductors and other appurtenances upon, above and under ground; all surface, under ground or elevated railroads, including the value of all franchises, rights or permission to construct, maintain or operate the same in, under, above, on or through, streets, highways, or public places; all railroad structures, substructures and superstructures, tracks and the iron thereon; branches, switches and other fixtures permitted or authorized to be made, laid or placed in, upon, above or under any public or private road, street or ground; all mains, pipes and tanks laid or placed in, upon, above or under any public or private street or place for conducting steam, heat, water, oil, electricity or any property, substance or product capable of transportation or conveyance therein or that is protected thereby, including the value of all franchises, rights, authority or permission to construct, maintain or operate, in, under, above, upon, or through, any streets, highways, or public places, any mains, pipes, tanks, conduits, or wires, with their appurtenances, for conducting water, steam, heat, light, power, gas, oil, or other substance, or electricity for telegraphic, telephonic or other purposes; all trees and underwood growing upon land, and all mines, minerals, quarries and fossils in and under the same, except mines belonging to the state. A franchise, right, authority or permission specified in this subdivision shall

for the purpose of taxation be known as a "special franchise." A special franchise shall be deemed to include the value of the tangible property of a person, copartnership, association or corporation situated in, upon, under or above any street, highway, public place or public waters in connection with the special franchise. The tangible property so included shall be taxed as a part of the special franchise. No property of a municipal corporation shall be subject to a special franchise tax. [*As amended by '99 ch. 712*]

4 The term special franchise shall not be deemed to include the crossing of a street, highway or public place where such crossing is not at the intersection of another street or highway, unless such crossing shall be at other than right angles for a distance of not less than 250 feet, in which case the whole of such crossing shall be deemed a special franchise. This subdivision shall not apply to any elevated railroad. [*Inserted by '01 ch. 490*]

5 The terms "personal estate," and "personal property," as used in this chapter, include chattels, money, things in action, debts due from solvent debtors, whether on account, contract, note, bond or mortgage; debts and obligations for the payment of money due or owing to persons residing within this state, however secured or wherever such securities shall be held; debts due by inhabitants of this state to persons not residing within the United States for the purchase of any real estate; public stocks, stocks in moneyed<sup>1</sup> corporations, and such portion of the capital of incorporated companies, liable to taxation on their capital, as shall not be invested in real estate. [*No. of ¶ changed by '01 ch. 490*]

§ 3 Property liable to taxation. All real property within this state, and all personal property situated or owned within this state, is taxable unless exempt from taxation by law.

§ 4 Exemption from taxation. The following property shall be exempt from taxation: . . .

7 The real property of a corporation or association organized exclusively for the moral or mental improvement of men or

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<sup>1</sup>So in the original.



women, or for religious, Bible, tract, charitable, benevolent, missionary, hospital, infirmary, educational, scientific, literary, library, patriotic, historical or cemetery purposes, or for the enforcement of laws relating to children or animals, or for two or more such purposes, and used exclusively for carrying out thereupon one or more of such purposes; and the personal property of any such corporation shall be exempt from taxation. But no such corporation or association shall be entitled to any such exemption if any officer, member or employee thereof shall receive or may be lawfully entitled to receive any pecuniary profit from the operations thereof except reasonable compensation for services in effecting one or more of such purposes, or as proper beneficiaries of its strictly charitable purposes; or if the organization thereof, for any such avowed purpose be a guise or pretense for directly or indirectly making any other pecuniary profit for such corporation or association, or for any of its members or employees, or if it be not in good faith organized or conducted exclusively for one or more of such purposes. The real property of any such corporation or association entitled to such exemption held by it exclusively for one or more of such purposes and from which no rents, profits or income are derived, shall be so exempt, though not in actual use therefor by reason of the absence of suitable buildings or improvements thereon, if the construction of such buildings or improvements is in progress, or is in good faith contemplated by such corporation or association. The real property of any such corporation not so used exclusively for carrying out thereupon one or more of such purposes, but leased or otherwise used for other purposes, shall not be exempt, but if a portion only of any lot or building of any such corporation or association is used exclusively for carrying out thereupon one or more such purposes of any such corporation or association, then such lot or building shall be so exempt only to the extent of the value of the portion so used, and the remaining or other portion to the extent of the value of such remaining or other portion shall be subject to taxation; provided, however, that a lot or building owned, and actually used for hospital purposes, by a free public hospital, depending

for maintenance and support upon voluntary charity shall not be taxed as to a portion thereof leased or otherwise used for the purposes of income, when such income is necessary for, and is actually applied to, the maintenance and support of such hospital. Property held by any officer of a religious denomination shall be entitled to the same exemptions, subject to the same conditions and exceptions, as property held by a religious corporation. [*As amended by '97 ch. 371*]

8 Real property of an incorporated association of present or former volunteer firemen actually and exclusively used and occupied by such corporation and not exceeding in value \$15,000.

9 All dwelling-houses and lots of religious corporations while actually used by the officiating clergyman thereof, but the total amount of such exemption to any one religious corporation shall not exceed \$2,000. Such exemption shall be in addition to that provided by subdivision 7 of this section.

10 The real property of an agricultural society permanently used by it for exhibition grounds. . .

12 All vessels registered at any port in this state and owned by an American citizen, or association, or by any corporation, incorporated under the laws of the state of New York, engaged in ocean commerce between any port in the United States and **any** foreign port, are exempted from all taxation in this state, for state and local purposes; and all such corporations, all of whose vessels are employed between foreign ports and ports in the United States, are exempted from all taxation in this state, for state and local purposes, upon their capital stock, franchises and earnings, until and including Dec. 31, 1922.

13 A bond, mortgage, note, contract, account or other demand, belonging to any person not a resident of this state, sent to or deposited in this state for collection; the products of another state, owned by a nonresident of this state and consigned to his agent in this state for sale on commission for the benefit of the owner; moneys of a nonresident of this state, under the control or in the possession of his agent in this state, when transmitted to such agent for the purpose of investment or otherwise.

14 The deposits in any bank for savings which are due depositors, the accumulations in any domestic life insurance cor-

poration, held for the exclusive benefit of the insured, other than real estate and stocks, now liable for taxation; the accumulations of any incorporated cooperative loan association upon the shares of such association held by any person; and personal property of any corporation, person, company or association transacting the business of fire, casualty or surety insurance in this state equal in value to the unearned premiums required by the laws of this state, or the regulations of its insurance department, to be charged as a liability. [*As amended by '01 ch. 618*]

15 Moneys collected in the course of the business of any corporation, association or society, doing a life or casualty insurance business or both, upon the cooperative or assessment plan, and which are to be used for the payment of assessments, or for death losses or for benefits to disabled members.

16 The owner or holder of stock in an incorporated company liable to taxation on its capital, shall not be taxed as an individual for such stock.

17 The personal property in excess of \$100,000 of a mutual life insurance corporation incorporated in this state before April 10, 1849.

**§ 6 No deduction allowed for indebtedness fraudulently contracted.** No deduction shall be allowed in the assessment of personal property by reason of the indebtedness of the owner contracted or incurred in the purchase of nontaxable property or securities owned by him or held for his benefit, nor for or on account of any indirect liability as surety, guarantor, indorser or otherwise, nor for or on account of any debt or liability contracted or incurred for the purpose of evading taxation.

**Debt incurred in purchase of good will.** Indebtedness incurred by a corporation for the purchase of the good will of a business can not be deducted from the value of its taxable personal property, under § 6 of the tax law, which prohibits the deduction of indebtedness incurred in the purchase of nontaxable property, since good will, though it constitutes property, is not taxable as such for general town, county, or municipal purposes. [*41 App. div. 617*]

**§ 7 When property of nonresidents is taxable.** Nonresidents of the state doing business in the state, either as principals or partners, shall be taxed on the capital invested in such business, as

personal property, at the place where such business is carried on, to the same extent as if they were residents of the state.

**Foreign corporations. Deduction of debts.** Foreign corporations are included within the terms of '55 ch. 37, subjecting nonresidents doing business in this state to assessment and taxation on all sums invested in such business. A person or corporation liable to assessment and taxation under this act is not entitled to a deduction of debts. [141 N. Y. 118]

When a foreign corporation doing business in this state purchases property here for its business and pays cash for a portion of it and promises to pay the balance at a future day, or pays no cash but promises to pay in the future, the amount still due upon the property is to be deducted from the value of the property, to ascertain the "sums invested" in this state, in applying the provision of '55 ch. 37, that all nonresident persons and associations doing business in the state of New York "shall be assessed and taxed on all sums invested in any manner in said business the same as if they were residents of this state." [141 N. Y. 118, *limited*; 147 N. Y. 31]

§ 11 **Place of taxation of property of corporations.** The real estate of all incorporated companies liable to taxation, shall be assessed in the tax district in which the same shall lie, in the same manner as the real estate of individuals. All the personal estate of every incorporated company liable to taxation on its capital shall be assessed in the tax district where the principal office or place for transacting the financial concerns of the company shall be, or if such company have no principal office, or place for transacting its financial concerns, then in the tax district where the operations of such company shall be carried on. In the case of toll bridges, the company owning such bridge shall be assessed in the tax district in which the tolls are collected; and where the tolls of any bridge, turnpike, or canal company are collected in several tax districts, the company shall be assessed in the tax district in which the treasurer or other officer authorized to pay the last preceding dividend resides.

§ 12 **Taxation of corporate stock.** The capital stock of every company liable to taxation, except such part of it as shall have been excepted in the assessment roll or shall be exempt by law, together with its surplus profits or reserve funds exceeding 10% of its capital, after deducting the assessed value of its real estate, and all shares of stock in other corporations actually owned by such company which are taxable upon their capital stock under the laws of this state, shall be assessed at its actual value.

**Capital stock defined. Basis of valuation. Franchise exempt.** The property of every stock company consists of three things, its capital, existing in money or property, its surplus, if any, and its franchise. These which are several in the ownership of the company are united in the ownership of the shareholders, and the share stock or capital stock as owned by the shareholders covers all three. The phrase "capital stock" in the provision of the act of 1857 in relation to taxing incorporated companies (57 ch. 456 § 3), means not the share stock, but the capital owned by the corporation, the fund required to be paid in and kept intact as the basis of the business enterprise. In taxing corporations, therefore, under said act the subject of valuation and assessment is never the share stock, but always the company's capital and surplus which should be assessed at its actual value when that is known or can be ascertained. [126 N. Y. 433]

It is not the value of the capital stock, but the value of the capital that is to be ascertained. To ascertain the capital subject to taxation requires the valuation of the whole property owned by the corporation, whether real or personal or both, and from the aggregate is to be deducted the assessed value of the real estate, and the balance is the capital subject to assessment, after deducting debts and any exemptions allowed by law. The franchises of the corporation are not part of its taxable capital. [7 App. div. 27, at 31]

It is the actual value of its capital stock and not the market value of its share stock that is to be assessed; in other words, it is its actual tangible personal property and not its franchises. Other statutes provide for the taxing of its real estate and franchises. [146 N. Y. 304, at 312]

**Deduction of debts.** The provision for the assessment of capital stock of a corporation at its actual value made by § 12 of the tax law does not conflict with or prohibit a deduction of the company's indebtedness in determining such value. [161 N. Y. 195]

It is not to be presumed that the indebtedness of a corporation represents property to the amount of such indebtedness in addition to that represented by its capital stock. In making an assessment under said act of 1857 the earnings of the corporation may be considered by the assessors. Where, therefore, it appeared that the earnings of the corporation enabled it to pay its running expenses, necessary repairs and interest on its indebtedness, and to declare a dividend of 6% and still have a surplus, held, it was proper to assume that its capital stock remains unimpaired, and that there are surplus assets sufficient to pay its outstanding indebtedness. [146 N. Y. 304]

**§ 13 Stockholders of bank taxable on shares.** The stockholders of every bank or banking association organized under the authority of this state, or of the United States, shall be assessed and taxed on the value of their shares of stock therein; said shares shall be included in the valuation of the personal property of such stockholders in the assessment of taxes in the tax district where such bank or banking association is located, and not elsewhere, whether the said stockholders reside in said tax district or not.

§ 14 **Place of taxation of individual bank capital.** Every individual banker shall be taxable upon the amount of capital invested in his banking business in the tax district where the place of such business is located and shall, for that purpose, be deemed a resident of such tax district.

§ 20 **Ascertaining facts for assessment.** The assessors in each tax district may, by mutual agreement, divide it into convenient assessment districts not exceeding the number of such assessors. The assessors in each tax district shall annually between May 1 and July 1, ascertain by diligent inquiry all the property and the names of all the persons taxable therein, except that in towns containing an incorporated village having a population of more than 10,000 inhabitants according to the last state census the assessors may have from April 15 until July 1 to ascertain the taxable property and names of persons taxable in such towns. [*As amended by '00 ch. 512*]

§ 21 **Preparation of assessment roll.** They shall prepare an assessment roll containing six separate columns and shall, according to the best information in their power, set down:

1 In the first column the names of all the taxable persons in the tax district.

2 In the second column the quantity of real property taxable to each person with a statement thereof in such form as the commissioners of taxes shall prescribe.

3 In the third column the full value of such real property.

4 In the fourth column the full value of all the taxable personal property owned by each person respectively after deducting the just debts owing by him.

5 In the fifth column the value of taxable rents reserved and chargeable upon lands within the tax district, estimated at a principal sum, the interest of which, at the legal rate per annum, shall produce a sum equal to such annual rents and if payable in any other thing except money the value of the rents in money to be ascertained by them and the value of each rent assessed separately, and if the name of the person entitled to receive the rent assessed can not be ascertained by the assessors, it shall be assessed against the tenant in possession of the real property upon which the rents are chargeable.

6 In the sixth column the value of the special franchise as fixed by the state board of tax commissioners. [*As amended by '99 ch. 712*]

**Deduction of debts.** The word "person" as mentioned in § 21 and 37 of the tax law, providing for deduction of debts from personal property, includes a corporation by virtue of the statutory construction law, § 5, and a corporation is entitled, therefore, to have its debts deducted from the value of property, in an assessment of its personal property for town, county or municipal purposes. [161 N. Y. 195]

**Report of bank. List of stockholders.** § 23 The chief fiscal officer of every bank or banking association organized under the authority of this state, or of the United States, shall, on or before the first day of July, in each year, furnish the assessors of the tax district in which its principal office is located a statement under oath of the condition of such bank or banking association on the first day of June next preceding, stating the amount of its authorized capital stock, the number of shares and the par value of the shares thereof, the amount of stock paid in, the amount of its surplus and of its undivided profits, if any, a complete list of the names and residences of its stockholders and the number of shares held by each. In case of neglect or refusal on the part of any bank or banking association to report as herein prescribed, or to make other or further reports as may be required such bank or banking association shall forfeit the sum of \$100 for each failure, and the additional sum of \$10 for each day such failure continues, and an action therefor shall be prosecuted by the county treasurer of the county in which such bank or banking association so neglecting or refusing to report is located, and in the city of New York by the receiver of taxes thereof. There shall, in addition to such report, be kept in the office of every such bank or banking association a full and correct list of the names and residences of all stockholders therein, and of the number of shares held by each, and such lists shall be subject to the inspection of the assessors at all times. The list of stockholders furnished by such bank or banking association shall be deemed to contain the names of the owners of such shares as are set opposite them, respectively, for the purpose of assessment and taxation. [*As amended by '01 ch. 550*]

**Taxation of bank shares.** § 24 In assessing the shares of stock of banks or banking associations organized under the authority of this state or the United States, the assessment and taxation shall not be at a greater rate than is made or assessed upon other moneyed capital in the hands of individual citizens of this state. The value of each share of stock of each bank and banking association shall be ascertained and fixed by adding together the amount of the capital stock, surplus, and undivided profits of such bank or banking association and by dividing the result by the number of outstanding shares of such bank or banking association. The rate of tax upon the shares of stock of banks and banking associations shall be 1% upon the value thereof, as ascertained and fixed in the manner hereinbefore provided, and the owners of the stock of banks and banking associations shall be entitled to no deduction from the taxable value of their shares because of the personal indebtedness of such owners, or for any other reason whatsoever. Complaints in relation to the assessments of the shares of stock of banks and banking associations made under the provisions of this act shall be heard and determined as provided in article 2, § 36, of the tax law. The said tax shall be in lieu of all other taxes whatsoever for state, county or local purposes upon the said shares of stock, and the mortgages, judgments and other choses in action and personal property held or owned by banks and banking associations, the value of which enters into the value of said shares of stock, shall also be exempt from all other state, county or local taxation. The tax herein imposed shall be levied in the following manner: The board of supervisors of the several counties shall, on or before the 15th day of December in each year, ascertain from an inspection of the assessment rolls in their respective counties, the number of shares of stock of banks and banking associations in each town, city, village, school and other tax district, in their several counties, respectively, in which such shares of stock are taxable, the names of the banks issuing the same, respectively, and the assessed value of such shares, as ascertained in the manner provided in this act and entered upon the said assessment rolls, and shall forthwith mail to the president or cashier



of each of said banks or banking associations a statement setting forth the amount of its capital stock, surplus and undivided profits, the number of outstanding shares thereof, the value of each share of stock taxable in said county, as ascertained in the manner herein provided, and the aggregate amount of tax to be collected and paid by such bank or banking association, under the provisions of this act. A certified copy of each of said statements shall be sent to the county treasurer. It shall be the duty of every bank or banking association to collect the tax due upon its shares of stock from the several owners of such shares, and to pay the same to the treasurer of the county wherein said bank or banking association is located, and in the city of New York to the receiver of taxes thereof, within fifteen days after the receipt by it of the statement of assessment and tax herein provided for; and any bank or banking association failing to pay the said tax as herein provided shall be liable by way of penalty for the gross amount of the taxes due from all the owners of the shares of stock, and for an additional amount of \$100 for every day of delay in the payment of said tax. Every bank or banking association so paying the taxes due upon the shares of its stock shall have a lien on the shares of stock and on all property of the several share owners in its hands, or which may at any time come into its hands, for reimbursement of the taxes so paid on account of the several shareholders, with legal interest; and such lien may be enforced in any appropriate manner. The tax hereby imposed shall be distributed in the following manner: The board of supervisors of the several counties shall ascertain the tax rate of each of the several town, city, village, school and other tax districts in their counties, respectively, in which the shares of stock of banks and banking associations shall be taxable, which tax rates shall include the proportion of state and county taxes levied in such districts, respectively, for the year for which the tax is imposed, and the proportion of the tax on bank stock to which each of said districts shall be respectively entitled shall be ascertained by taking such proportion of the tax upon the shares of stock of banks and banking associations, taxable in such districts, re-

spectively, under the provisions of this act as the tax rate of such tax district shall bear to the aggregate tax rates of all the tax districts in which said shares of stock shall be taxable. The said board of supervisors shall issue their warrant or order to the county treasurer on or before the 15th day of December in each year, setting forth the number of shares of bank stock taxable in each town, city, village, school and other tax district in said county, in which said shares of stock shall be taxable, the tax rate of each of said tax districts for said year, the proportion of the tax imposed by this act to which each of said tax districts is entitled, under the provisions hereof, and commanding him to collect the same, and to pay to the proper officer in each of such districts the proportion of such tax to which it is entitled under the provisions of this act. The said county treasurer shall have the same powers to enforce the collection and payment of said tax as are possessed by the officers now charged by law with the collection of taxes, and the said county treasurer shall be entitled to a commission of 1% for collecting and paying out said moneys, which commission shall be deducted from the gross amount of said tax before the same is distributed. In issuing their warrants to the collectors of taxes, the boards of supervisors shall omit therefrom assessments of and taxes upon the shares of stock of banks and banking associations. All assessment of the shares of stock of banks and banking associations made on or after January 1, 1901, and prior to the passage of this act, shall be null and void, and new assessments thereof shall be made agreeably to the provisions of this act. Provided, that in the city of New York the statement of bank assessment and tax herein provided for shall be made by the board of tax commissioners of said city, on or before the 15th day of December in each year, and by them forthwith mailed to the respective banks and banking associations located in said city, and a certified copy thereof sent to the receiver of taxes of said city. The tax shall be paid by the respective banks in said city to the said receiver of taxes within 15 days after the receipt of said statement, and said tax shall be collected by the said receiver of taxes and shall be by him paid into the treasury of said city to the

credit of the general fund thereof. This act is not to be construed as an exemption of the real estate of banks or banking associations from taxation. [*As amended by '01 ch. 550*]

**Validity of denial of right to deduct personal indebtedness.** The section as amended has not been passed on by the courts but the decision of the United States supreme court relative to a similar law of 1866 is as follows:

The provisions of the statute of 1866 of New York, providing for the assessment and taxation of the stockholders of a bank or banking association on the value of their shares of stock, are in conflict with an act of congress, so far as they do not permit a stockholder of a national bank to deduct the amount of his just debts from the assessed value of his stock, while by the laws of the state the owner of all other personal taxable property can deduct such debts from its value. The statute is not, however, rendered void by reason of such conflict, nor is the assessment thereunder of the shares of stock in national banks of no effect. If the stockholder has no debts to deduct, the prescribed mode of assessment is valid, and he can not recover the tax paid pursuant thereto; if he has debts, the assessment excluding them from computation is voidable, but the assessing officers act within their authority until they are duly notified that he is entitled to deduct such debts. If the assessing officers proceed after such notice, and act in violation of the act of congress, he may take the requisite steps to secure that deduction, and, when secured, the residue of the statute remains valid. [105 U. S. 305]

**§ 25 Individual banker, how assessed.** Every individual banker doing business under the laws of this state, must report before the 15th day of June under oath to the assessors of the tax district in which any of the capital invested in such banking business is taxable, the amount of capital invested in such banking business in such tax district on the first day of June preceding. Such capital shall be assessed as personal property to the banker in whose name such business is carried on.

**§ 26 Notice of assessment to bank or banking association.** The assessors of every tax district shall within 10 days after they have completed the assessment of the stock of a bank or banking association, give written notice to such bank or banking association of such assessment of the shares of its respective shareholders and no personal or other notice to such shareholders of such assessment is required.

**§ 27 Reports of corporations.** The president or other proper officer of every moneyed or stock corporation deriving an income or profit from its capital or otherwise shall, on or before June 15th, deliver to one of the assessors of the tax district in which

the company is liable to be taxed and, if such tax district is in a county embracing a portion of the forest preserve, to the controller of the state, a written statement specifying:

1 The real property, if any, owned by such company, the tax district in which the same is situated and, unless a railroad corporation, the sums actually paid therefor.

2 The capital stock actually paid in and secured to be paid in excepting therefrom the sums paid for real property and the amount of such capital stock held by the state and by any incorporated literary or charitable institution, and

3 The tax district in which the principal office of the company is situated or in case it has no principal office, the tax district in which its operations are carried on.

Such statement shall be verified by the officer making the same to the effect that it is in all respects just and true. If such statement is not made within 20 days after the 15th day of June, or is insufficient, evasive or defective, the assessors may compel the corporation to make a proper statement by mandamus.

§ 28 **Penalty for omission to make statement.** In case of neglect to furnish such statements within 30 days after the time above provided, the company so neglecting shall forfeit to the people of this state for each statement so omitted to be furnished, the sum of \$250, and it shall be the duty of the attorney-general to prosecute for such penalty upon information which shall be furnished him by the controller. Upon such statement being furnished and the costs of the suit being paid, the controller, if he shall be satisfied that such omission was not wilful, may, in his discretion, discontinue such suit.

§ 31 **Corporations, how assessed.** The assessors shall assess corporations liable to taxation in their respective tax districts upon their assessment rolls in the following manner:

1 In the first column the name of each corporation, and under its name the amount of its capital stock paid in and secured to be paid in; the amount paid by it for real property then owned by it wherever situated; the amount of all surplus profits or reserve funds exceeding 10% of their capital, after deducting therefrom the amount of said real property and the amount of its

stock, if any, belonging to the state and to incorporated literary and charitable institutions.

2 In the second column the quantity of real property except special franchises owned by such corporation and situated within their tax district.

3 In the third column the actual value of such real property, except special franchises.

4 In the fourth column the amount of the capital stock paid in and secured to be paid in, and of all of such surplus profits or reserve funds as aforesaid, after deducting the sums paid out for all the real estate of the company, wherever the same may be situated, and then belonging to it, and the amount of stock, if any, belonging to the people of the state and to incorporated literary and charitable institutions.

5 In the fifth column the value of any special franchise owned by it as fixed by the state board of tax commissioners. [*As amended by '99 ch. 712*]

§ 31 *Superseded by § 12* The provision reenacted in § 31 of the tax law requiring an assessment of the amount of the capital stock of a corporation "paid in or secured to be paid in" is superseded by the provision reenacted in § 12, which requires the capital stock to be assessed at its actual value. [161 N. Y. 196]

§ 37 **Correction and verification of tax roll.** When the assessors, or a majority of them, shall have completed their roll, they shall severally appear before any officer of their county, authorized by law to administer oaths, and shall severally make and subscribe before such officer an oath in the following form: "We, the undersigned, do severally depose and swear that we have set down in the foregoing assessment roll all the real estate situated in the tax district in which we are assessors, according to our best information; and that, with the exception of those cases in which the value of the said real estate has been changed by reason of proof produced before us, and with the exception of those cases in which the value of any special franchise has been fixed by the state board of tax commissioners, we have estimated the value of the said real estate at the sums which a majority of the assessors have decided to be the full value thereof; and, also, that the said assessment roll contains a true statement of

the aggregate amount of the taxable personal estate of each and every person named in such roll over and above the amount of debts due from such persons, respectively, and excluding such stocks as are otherwise taxable, and such other property as is exempt by law from taxation, at the full value thereof, according to our best judgment and belief," which oath shall be written or printed on said roll, signed by the assessors and certified by the officer. [*As amended by '99 ch. 712*]

§ 39 **Assessors to apportion valuation of railroad, telegraph, telephone, or pipe line companies between school districts.** The assessors of each town in which a railroad, telegraph, telephone or pipe line company is assessed upon property lying in more than one school district therein, shall, within 15 days after the final completion of the roll, apportion the assessed valuation of the property of each of such corporations among such school districts. Such apportionment shall be signed by the assessors or a majority of them, and be filed with the town clerk within five days thereafter, and thereupon the valuation so fixed shall become the valuation of such property in such school district for the purpose of taxation. In case of failure of the assessors to act, the supervisor of the town shall make such apportionment on request of either the trustees of any school district or of the corporation assessed. The town clerk shall furnish the trustees a certified statement of the valuations apportioned to their respective districts. In case of any alteration in any school district affecting the valuation of such property, the officer making the same shall fix and determine the valuations in the districts affected for the current year.

§ 42 **Assessment of special franchises.** The state board of tax commissioners shall annually fix and determine the valuation of each special franchise subject to assessment in each city, town, or tax district. After the time fixed for hearing complaints the tax commissioners shall finally determine the valuation of the special franchises, and shall file with the clerk of the city or town in which said special franchise is assessed a written statement duly certified by the secretary of the board of the valuation of each special franchise assessed therein as finally fixed and de-

terminated by said board; such statement of valuation shall be filed with the town clerk of the respective towns within 30 days next preceding the first day of July in each year; and with the clerks of cities of the state within 30 days before the date set opposite the name of each city in the following schedule. In the city of New York such statement shall be filed with the department of taxes and assessments.

SCHEDULE OF DATES FOR FILING OF ASSESSMENTS OF SPECIAL  
FRANCHISES

Name of city	Date	Name of city	Date
Rochester	April 1	Jamestown	April 1
Ithaca	April 1	Buffalo	April 1
Gloversville	April 1	Auburn	May 1
New York city	May 1	Schenectady	June 1
Corning	June 1	Hornellsville	June 1
Oswego	June 1	North Tonawanda	July 1
Olean	July 1	Syracuse	July 1
Cohoes	July 1	Ogdensburg	July 1
Dunkirk	July 1	Troy	July 1
Rome	July 1	Watertown	July 1
Elmira	July 1	Lockport	July 1
Utica	July 1	Poughkeepsie	July 1
Littlefalls	July 1	Watervliet	July 1
Niagara Falls	July 1	Kingston	July 1
Newburgh	July 1	Hudson	July 1
Amsterdam	July 1	Binghamton	July 1
Geneva	July 1	Middletown	July 1
Johnstown	July 1	Yonkers	Oct. 1
New Rochelle	Oct. 1	Albany	Oct. 1
Mt Vernon	Oct. 1	Rensselaer	Oct. 1

Each city or town clerk shall, within five days after the receipt by him of the statement of assessment of a special franchise by the state board, deliver a copy of such statement certified by him to the assessors or other officers charged with the duty of making local assessments in each tax district in said city or town and to the assessors of villages and commissioners of highways within their respective towns and villages. The valuations

of every special franchise as so fixed by the state board shall be entered by the assessors or other officers in the proper column of the assessment roll before the final revision and certification of such roll by them, and become part thereof with the same force and effect as if such assessment had been originally made by such assessor or other officer. If a special franchise assessed in a town is wholly within a village, the valuation fixed by the state board for the town shall also be the valuation for the village. If a part only of such special franchise is in a village, or is in a village situated in more than one tax district, it shall be the duty of the village assessors to ascertain and determine what portion of the valuation of such franchise, as the same has been fixed by the state board, shall be placed upon the tax roll for village purposes. The valuation apportioned to the town shall be the assessed valuation for highway purposes, and in case part of such special franchise shall be assessed in a village and part thereof in a town outside a village, the commissioners of highways of the town and village shall meet on the third Tuesday in August in each year and apportion the valuation of such special franchises between such town outside the village and such village for highway purposes. In case of disagreement between them the decision of the supervisor of the town shall be final. The town assessors shall make an apportionment among school districts at the time and in the manner required by section thirty-nine of this chapter. The valuation so fixed by the state board shall be the assessed valuation on which all taxes based on such special franchise in the city, town or village for state, municipal, school or highway purposes shall be levied during the next ensuing year. It shall not be necessary for the state board of tax commissioners to give notice to any person, copartnership, association or corporation of the valuation of a special franchise located in any village for village purposes except in a case where such valuation is required to be made for such village purposes by the state board of tax commissioners. The assessors or other taxing officer, or other local officer in any city, town or village, or any state or county officer, shall on demand furnish to the state board of tax commissioners any information required by



such board for the purpose of determining the value of a special franchise. [*Added by '99 ch. 712; amended '00 ch. 254*]

**Street railways.** **Percentage of gross receipts to be paid in cities or villages; report of officers.** Every corporation building or operating a railroad or branch or extension thereof, under the provisions of this article, or of chapter 252 of the laws of 1884, within any city of the state having a population of 1,200,000 or more, shall, for and during the first five years after the commencement of the operation of any portion of its railroad annually, on November 1, pay into the treasury of the city in which its road is located, to the credit of the sinking fund thereof, 3% of its gross receipts for and during the year ending Sep. 30 next preceding; and after the expiration of such five years make a like annual payment into the treasury of the city to the credit of the same fund, of 5% of its gross receipts. If a street surface railroad corporation existing and operating any such railroad in any such city on May 6, 1884, shall have thereafter extended its tracks or constructed branches therefrom, and shall operate such branches or extensions under the provisions of chapter 252 of the laws of 1884, or of this article, such corporation shall pay such percentages only upon such portion of its gross receipts as shall bear the same proportion to its whole gross receipts as the length of such extension or branches shall bear to the entire length of its line. In any other incorporated city or village the local authorities shall have the right to require, as a condition to their consent to the construction, operation or extension of a railroad under the provisions of this article, the payment annually of such percentage of gross receipts, not exceeding 3%, into the treasury of the city or village as they may deem proper. In case of extension the amount to be paid shall be ascertained in the manner heretofore provided. The corporation failing to pay such percentage on its gross earnings shall, after November 1, pay in addition thereto 5% a month on such percentage until paid. The president and treasurer of any corporation required by the provisions of this article to make a payment annually upon its gross receipts shall, on or before November 1 in each year make a verified report to the controller or chief fiscal officer of the city of the gross amount of its receipts for the year ending September 30, next preceding, and the books of such corporation shall be open to inspection and examination by such controller or officer, or his duly appointed agent, for the purpose of ascertaining the correctness of its report as to its gross receipts. The corporate rights, privileges and franchises acquired under this article or such chapter by any corporation, which shall fail to comply with all the provisions of this section, shall be forfeited to the people of the state, and upon judgment of forfeiture rendered in an action brought in the name of the people by the attorney-general shall cease and determine. [*'90 ch. 563 § 95 as amended by '92 ch. 676*]

**§ 43 Report to state board of tax commissioners.** Every person, copartnership, association or corporation subject to taxation on a special franchise, shall, within 30 days after this section takes effect, or within 30 days after such special franchise is acquired, make a written report to the state board of tax commissioners

containing a full description of every special franchise possessed or enjoyed by such person, copartnership, association or corporation, a copy of the special law, grant, ordinance, or contract under which the same is held, or if possessed or enjoyed under a general law, a reference to such law, a statement of any condition, obligation or burden imposed upon such special franchise, or under which the same is enjoyed, together with any other information relating to the value of such special franchise, required by the state board. The state board of tax commissioners may from time to time require a further or supplemental report from any such person, copartnership, association or corporation, containing information and data upon such matters as it may specify. Every report required by this section shall have annexed thereto the affidavit of the president, vice-president, secretary or treasurer of the association or corporation, or one of the persons or one of the members of the copartnership making the same, to the effect that the statements contained therein are true. Such board may prepare blanks to be used in making the reports required by this section. Every person, copartnership, association or corporation failing to make the report required by this section, or failing to make any special report required by the state board of tax commissioners within a reasonable time specified by it, shall forfeit to the people of the state the sum of \$100 for every such failure and the additional sum of \$10 for each day that such failure continues, and shall not be entitled to review the assessment by certiorari, as provided by § 45 of this chapter. [Added by '99 ch. 712]

§ 44 **Hearing on special franchise assessment.** On making an assessment of a special franchise, the state board of tax commissioners shall immediately give notice in writing to the person, copartnership, association or corporation affected, stating in substance that such assessment has been made, the total valuation of such special franchise, and the valuation thereof in each city, town, village or tax district; and that the board will meet at its office in the city of Albany on a day specified in such notice, which must not be less than 20 nor more than 30 days from the date of the notice, to hear and determine any complaint concern-

ing such assessment. Such notice must be served at least 10 days before the day fixed for the hearing; and it may be served on a copartnership, association or corporation, by mailing a copy thereof to it at its principal office or place of business and on a person, either personally or by mailing it to him at his place of business or last known place of residence. § 36 of this chapter applies so far as practicable to a hearing by the state board of tax commissioners under this section. [Added by '99 ch. 712]

§ 45 **Certiorari to review assessment.** An assessment of a special franchise by the state board of tax commissioners may be reviewed in the manner prescribed by article 11 of this chapter, and that article applies so far as practicable to such an assessment, in the same manner and with the same force and effect as if the assessment had been made by local assessors; a petition for a writ of certiorari to review the assessment must be presented within 15 days after the completion and filing of the assessment roll, and the first posting or publication of the notice thereof as required by law. Such writ must run to and be answered by said state board of tax commissioners and no writ of certiorari to renew any assessment of a special franchise shall run to any other board or officer unless otherwise directed by the court or judge granting the writ. An adjudication made in the proceeding instituted by such writ of certiorari shall be binding upon the local assessors and any ministerial officer who performs any duty in the collection of said assessment in the same manner as though said local assessors or officers had been parties to the proceeding. The state board of tax commissioners on filing with the city, town or village clerk a statement of the valuation of a special franchise, shall give to the person, copartnership, association or corporation affected written notice that such statement has been filed, and such notice may be served on a copartnership, association or corporation by mailing a copy thereof to it at its principal office or place of business, and on a person either personally or by mailing it to him at his place of business or last known place of residence. [Added by '99 ch. 712; amended by '00 ch. 254]

§ 46 Deduction from special franchise tax for local purposes. If, when the tax assessed on any special franchise is due and payable under the provisions of law applicable to the city, town or village in which the tangible property is located, it shall appear that the person, copartnership, association or corporation affected has paid to such city, town or village for its exclusive use within the next preceding year, under any agreement therefor, or under any statute requiring the same, any sum based upon a percentage of gross earnings, or any other income, or any license fee, or any sum of money on account of such special franchise, granted to or possessed by such person, copartnership, association, or corporation, which payment was in the nature of a tax, all amounts so paid for the exclusive use of such city, town or village except money paid or expended for paving or repairing of pavement of any street, highway or public place, shall be deducted from any tax based on the assessment made by the state board of tax commissioners for city, town or village purposes, but not otherwise; and the remainder shall be the tax on such special franchise payable for city, town or village purposes. The chamberlain or treasurer of a city, the treasurer of a village, the supervisor of a town, or other officer to whom any sum is paid for which a person, copartnership, association, or corporation is entitled to credit as provided in this section, shall, not less than five nor more than 20 days before a tax on a special franchise is payable, make and deliver to the collector or receiver of taxes or other officer authorized to receive taxes for such city, town or village, his certificate showing the several amounts which have been paid during the year ending on the day of the date of the certificate. On the receipt of such certificate the collector, receiver or other officer shall immediately credit on the tax roll to the person, copartnership, association or corporation affected the amount stated in such certificate, on any tax levied against such person, copartnership, association or corporation on an assessment of a special franchise for city, town or village purposes only, but no credit shall be given on account of such payment or certificate in any other year, nor for a greater sum than the amount of the special franchise tax for city, town or village purposes, for the

current year; and he shall collect and receive the balance, if any, of such tax as required by law. [*Added by '99 ch. 712*]

**§ 47 Special franchise tax not to affect other tax.** The imposition or payment of a special franchise tax as provided in this chapter shall not relieve any association, copartnership or corporation from the payment of any organization tax or franchise tax or any other tax otherwise imposed by article nine of this chapter, or by any other provision of law; but tangible property subject to a special franchise tax situated in, upon, under or above any street, highway, public place or public waters, as described in subdivision three of section two shall not be taxable except upon the assessment made as herein provided by the state board of tax commissioners. [*Added by '99 ch. 712*]

**§ 57 Statement of taxes upon certain corporations by clerk of supervisors.** The clerk of each board of supervisors shall, within five days after the tax warrant is completed, deliver to the county treasurer, a statement showing the names, valuation of property and the amount of tax of every railroad corporation and telegraph, telephone and electric light line in each tax district in the county, and on refusal or neglect so to do, shall forfeit to the county the sum of \$1000, to be sued for by the district attorney in the name of the county.

**§ 58 Statement of valuation to be forwarded to controller.** The clerk of each board of supervisors shall, on or before the second Monday in December, transmit to the controller, in the form to be prescribed by such controller, a certificate or return of the aggregate assessed and equalized valuation of the real and personal estate in each tax district as the valuation of such real estate has been corrected by such board, and the amount of tax assessed thereon for town, city, school, county and state purposes. Also the names of the several incorporated companies liable to taxation in such county, the nature of their business, the amount of the capital stock paid in and secured to be paid in by each, the amount of real and personal property of each as put down by the assessors, or by it, the amount of taxes assessed on each, and the amount of personal property on which each such corporation is exempt on account of the payment of state taxes on its capital.

In the city of New York such report shall be made by the clerk or the board of aldermen, and for the purpose of making such report he may require any department or board of such city to furnish the necessary information.

§ 70 **Notice by collector.** Every collector, upon receiving a tax roll and warrant, shall forthwith cause notice of the reception thereof to be posted in five conspicuous places in the tax district, specifying one or more convenient places in such tax district, where he will attend from 9 o'clock in the forenoon until 4 o'clock in the afternoon, at least three days, and if in a city, at least five days, in each week for 30 days from the date of the notice, which shall be the date of the posting or first publication thereof, which days shall be specified in such notice, for the purpose of receiving the taxes assessed upon such roll. The collector shall attend accordingly, and any person may pay his taxes to such collector at the time and place so designated, or at any other time or place. In a city, the notice in addition to being posted shall be published once in each week, for two weeks successively, in a newspaper published in such city. On the written demand of a nonresident owner of real property included in such tax roll, and the payment by such owner to the collector of the sum of 25 cents, the collector shall within 24 hours after the receipt of such demand mail in a postpaid envelop directed to such nonresident owner, to the orders to be furnished in such demand, a statement of the amount of taxes assessed against such property with a notice of the dates and places fixed by him for receiving taxes. [*As amended by '99 ch. 342*]

§ 71 **Collection of taxes.** After the expiration of such period of 30 days, the collector shall call, at least once, on every person taxed upon such roll, whose taxes are unpaid, at his usual place of residence, if he is an actual inhabitant of such tax district, and demand payment of the taxes charged to him on his property. If any person shall neglect or refuse to pay any tax imposed on him, the collector shall levy upon any personal property in the county belonging to or in the possession of any person who ought to pay the tax, and cause the same to be sold at public auction

for the payment of such tax, and the fees and expenses of collection; and no claim of property to be made thereto by any other person shall be available to prevent such sale. Public notice of the time and place of sale of the property to be sold shall be given by posting the same in at least three public places in the tax district where the sale is to be made, at least six days previous thereto. If the proceeds of such sale shall be more than the amount of such tax, the fees of the collection and the expenses of the sale, the surplus shall be paid to the person against whom the tax was assessed. If any other person shall claim the surplus, on the ground that the property sold belonged to him, and such claim be admitted by the person for the payment of whose tax the sale was made, such surplus shall be paid to such other person. If such claim be contested by the person for the payment of whose tax the property was sold, such surplus shall be paid over by the collector to the supervisor of the town, who shall retain the same until the rights of the parties thereto shall be determined by due course of law, or by agreement in writing made by them and filed with the supervisor.

§ 72 Collection of taxes assessed against stocks in banks and banking associations. Every bank or banking association shall retain any dividend until the delivery to the collector of the tax roll and warrant of the current year, and within 10 days after such delivery, shall pay to such collector so much of such dividend as may be necessary to pay any unpaid taxes assessed on the stock upon which such dividend is declared. In case the owner of such stock resides in a place other than where the bank or banking association is located, the same power may be exercised in collecting the tax so assessed as is given in case a person has removed from a tax district in which the assessment was made. The tax so assessed shall be and remain a lien on the shares of stock against which it is assessed till the payment of such tax, and if the stock is transferred it shall be subject to such lien. The collector or county treasurer may foreclose such lien in any court of record, and collect from the avails of the sale of the stock the tax assessed against the same. In addition

thereto, the same remedy may be had for the collection of the tax on such shares as is now provided by law for enforcing payment of personal tax against residents.

**§ 73 Payment of taxes by railroad and certain other corporations.** Any railroad, telegraph, telephone or electric light company may, within 30 days after receipt of notice by the county treasurer from the clerk of the board of supervisors, pay its tax, with 1% fees, to the county treasurer, who shall credit the same with such fees to the collector of the tax district, unless otherwise required by law. If not so paid the county treasurer shall notify the collector of the tax district where it is due, and he shall then proceed to collect under his warrant. Until such notice from the treasurer the collector shall not enforce payment of such taxes, but may receive the same, with the fees allowed by law, at any time.

**§ 74 Enforcement of tax against telegraph, telephone and electric-light lines.** Collection of tax against a telegraph, telephone or electric-light line may be enforced by sale of the instruments and batteries connected with such line, and in case there is not sufficient personal property, together with such instruments and batteries, to pay such tax and the percentage due the collector, he shall return a statement thereof to the county treasurer as other unpaid taxes are returned, and the county treasurer shall proceed to sell such part of the line in the tax district where the tax was levied as may be necessary to satisfy the unpaid taxes and percentage, in the manner now provided by law for the sale of lands on execution, and upon such sale shall execute to the purchaser a conveyance of such part of said line, and the purchaser shall thereupon become the owner thereof. Nothing herein contained shall be construed to prevent collection of such taxes by any procedure now provided by law.

**§ 170 State board of tax commissioners.** The tax commissioners now in office shall continue in office for the terms for which they were appointed, and they and their successors shall constitute the state board of tax commissioners. On the expiration of their terms the governor shall appoint three commissioners by and



with the advice and consent of the senate, to hold office for three years, and so classified that the term of office of one of them shall expire with the 31st day of December in each year, and in case of a vacancy the appointment shall be for the unexpired term. Each commissioner shall receive an annual compensation of \$5000, payable monthly, and in addition thereto the expenses actually incurred by him, in the discharge of his official duties, including expenses while attending meetings of the commission. [*As amended '00 ch. 94*]

§ 180 **Organization tax.** Every stock corporation incorporated under any law of this state shall pay to the state treasurer a tax of one twentieth of 1% upon the amount of capital stock which the corporation is authorized to have, and a like tax upon any subsequent increase. Provided, that in no case shall such tax be less than \$1. Such tax shall be due and payable upon the incorporation of such corporation or upon the increase of its capital stock. Except in the case of a railroad corporation, neither the secretary of state nor county clerk shall file any certificate of incorporation or article of association, or give any certificate to any such corporation or association until he is furnished a receipt for such tax from the state treasurer, and no stock corporation shall have or exercise any corporate franchise or powers, or carry on business in this state until such tax shall have been paid. In case of the consolidation of existing corporations into a corporation, such new corporation shall be required to pay the tax hereinbefore provided for only upon the amount of its capital stock in excess of the aggregate amount of capital stock of said corporations. This section shall not apply to state and national banks or to building, mutual loan, accumulating fund and cooperative associations. A railroad corporation need not pay such tax at the time of filing its certificate of incorporation, but shall pay the same before the railroad commissioners shall grant a certificate, as required by the railroad law, authorizing the construction of the road as proposed in its articles of association, and such certificate shall not be granted by the board of railroad commissioners until it is furnished with a re-

ceipt for such tax from the state treasurer. [*As amended by '97 ch. 369 and '01 ch. 448*]

§ 181 **License tax on foreign corporations.** Every foreign corporation, except banking corporations, cooperative fraternal insurance companies and building and loan associations, authorized to do business under the general corporation law, shall pay to the state treasurer, for the use of the state, a license fee of one eighth of 1% for the privilege of exercising its corporate franchises or carrying on its business in such corporate or organized capacity in this state, to be computed upon the basis of the capital stock employed by it within this state, during the first year of carrying on its business in this state; and if any year thereafter any such corporation shall employ an increased amount of its capital stock within this state, the same license fee shall be due and payable upon any such increase. The tax imposed by this section on a corporation not heretofore subject to its provisions shall be paid on the first day of December, 1901, to be computed upon the basis of the amount of capital stock employed by it within the state during the year preceding such date, unless on such date such corporation shall not have employed capital within the state for a period of 13 months in which case it shall be paid within the time otherwise provided by this section. No action shall be maintained or recovery had in any of the courts in this state by such foreign corporation without obtaining a receipt for the license fee hereby imposed within 13 months after beginning such business within the state, or if at the time this section takes effect such a corporation has been engaged in business within this state for more than 12 months, without obtaining such receipt within 30 days after such tax is due. [*As amended by '01 ch. 558*]

§ 182 **Franchise tax on corporations.** Every corporation, joint stock company or association incorporated, organized or formed under, by or pursuant to law in this state, shall pay to the state treasurer annually, an annual tax to be computed upon the basis of the amount of its capital stock employed within this state and upon each dollar of such amount, at the rate of one quarter of a mill for each 1% of dividends made and declared upon its cap-

ital stock during each year ending with the 31st day of October, if the dividends amount to 6 or more than 6% upon the par value of such capital stock. If such dividend or dividends amount to less than 6% on the par value of the capital stock, the tax shall be at the rate of  $1\frac{1}{2}$  mills upon such portion of the capital stock at par as the amount of capital employed within this state bears to the entire capital of the corporation. If no dividend is made or declared, the tax shall be at the rate of  $1\frac{1}{2}$  mills upon each dollar of the appraised capital employed within the state. If such corporation, joint stock company or association shall have more than one kind of capital stock, and upon one of such kinds of stock a dividend or dividends amounting to six, or more than 6%, upon the par value thereof, has been made or declared, and upon the other no dividend has been made or declared, or the dividend or dividends made or declared thereon, amount to less than 6% upon the par value thereof, then the tax shall be at the rate of one quarter of a mill for each 1% of dividends made or declared upon the capital stock upon the par value of which the dividend or dividends made or declared amount to 6 or more than 6%, and in addition thereto a tax shall be charged at the rate of  $1\frac{1}{2}$  mills upon every dollar of the valuation made in accordance with the provisions of this act of the capital stock upon which no dividend was made or declared, or upon the par value of which the dividend or dividends made or declared did not amount to 6%. Every corporation, joint stock company or association organized, incorporated or formed under the laws of any other state or country, shall pay a like tax for the privilege of exercising its corporate franchises or carrying on its business in such corporate or organized capacity in this state, to be computed upon the basis of the capital employed by it within this state.

**Valuation of capital stock.** The basis for assessing the tax on the capital stock employed in this state of a corporation which has paid no dividends, and of whose stock there have been no sales, during the tax year, is to be arrived at by ascertaining its actual cash value. The actual value of the capital stock of such a corporation is the value of its assets, after deducting its liabilities, and adding to the sum then remaining the

value of the good will of the business, including its right to conduct it under its franchise. [154 N. Y. 101]

Where the controller in appraising the capital stock of a railroad company, fixes the valuation at the average price at which the stock sold during the year, he has complied with the statute, and it is not necessary for him to ascertain the "intrinsic" or actual value of the stock in cash, unless such intrinsic value exceeded the market value. [90 Hun 537]

**Good will defined. Taxation of good will of a foreign corporation.** Good will embraces at least two elements, the advantage of continuing an established business in its old place, and of continuing it under the old style or name. While it is not necessarily altogether local, it is usually to a great extent and must, of necessity, be an incident to a place, an established business or a name known to the trade. The good will of a foreign corporation, acquired and built up in this state and having a market value here, where its business is carried on, and nowhere else, is not exempt from taxation as capital employed within this state, merely because it is intangible. Where a corporation which, although organized in another state, has never done any business, owned any property or had an office there, but which has carried on its business wholly in this state, where all its tangible property is located, has acquired a good will created here and has built up the same by the exercise of its corporate franchises and through the increased value of its tangible property in this state, such good will is properly taxable as capital employed within this state, under § 182 of the tax law. [159 N. Y. 70]

**Foreign corporations.** The jurisdiction to tax foreign corporations depends on the existence of two concurring conditions, namely, that the corporations shall be "doing business in this state," and that its capital or some portion thereof shall have been "employed within this state." A foreign corporation, whose capital is wholly invested in the stock and bonds of an independent foreign corporation doing business wholly out of this state, whose whole income is derived from such investment, and which maintains a leased office, with furniture, officers and clerks, in this state, where it receives and distributes the dividends or income derived from its investment, which constitutes its whole business, is not subject to taxation under the act of 1880-85, since, although it is "doing business in this state," no part of its capital is "employed within this state," within the meaning of the statute. [154 N. Y. 1]

§ 183 Certain corporations exempt from tax on capital stock. Banks, saving banks, institutions for savings, title guaranty, insurance or surety corporations, every trust company incorporated, organized or formed, under, by or pursuant to a law of this state, and any company authorized to do a trust company business solely or in connection with any other business, under a general or special law of this state, laundry corporations, manufacturing corporations to the extent only of the capital actually employed in this state in manufacturing, and in the sale of the

product of such manufacturing, mining corporations, wholly engaged in mining ores within this state, agricultural and horticultural societies or associations, and corporations, joint-stock companies or associations operating elevated railroads or surface railroads not operated by steam, or formed for supplying water or gas for electric or steam heating, lighting or power purposes, and liable to a tax under § 185 and 186 of this chapter, shall be exempt from the payment of the taxes prescribed by § 182 of this chapter. But such a laundry, manufacturing or mining corporation shall not be exempted from the payment of such taxes, unless at least 40% of the capital stock of such corporation is invested in lands and other property in this state and used by it in the conduct of its business. [*As amended by '97 ch. 785 and '01 ch. 558*]

§ 184 **Additional franchise tax on transportation and transmission corporations and associations.** Every corporation and joint-stock association formed for steam surface railroad, canal steamboat, ferry, express, navigation, pipe line, transfer, baggage express, telegraph, telephone, palace car or sleeping car purposes, and all other transportation corporations not liable to taxes under § 185 or 186 of this chapter, shall pay for the privilege of exercising its corporate franchises or carrying on its business in such corporate or organized capacity in this state, an annual excise tax or license fee which shall be equal to five tenths of 1% upon its gross earnings within the state, which shall include its gross earnings from its transportation or transmission business originating and terminating within this state, but shall not include earnings derived from business of an interstate character. All settlements for such taxes heretofore based by the controller upon gross earnings excluding earnings from interstate business, have been ratified and confirmed, except that the accounts for taxation under § 6 of chapter 361 of the laws of 1881, for the years 1892 and 1893, shall be settled and adjusted by the controller by excluding the earnings of an interstate character as provided by this section.

§ 185 **Franchise tax on elevated or surface railroads not operated by steam.** Every corporation, joint-stock company or association operating any elevated railroad or surface railroad not operated by steam shall pay to the state for the privilege of exercising its corporate franchise or carrying on its business in such corporate or organized capacity within this state, an annual tax which shall be 1% upon its gross earnings from all sources within this state, and 3% upon the amount of dividends declared or paid in excess of 4% upon the actual amount of paid-up capital employed by such corporation, joint-stock company or association. Any corporation, joint-stock company or association taxed under this section which has paid a tax to the state for the year ending November 1, 1895, under § 3 of chapter 542 of the laws of 1880, as amended by chapter 522 of the laws of 1890, shall be credited by the controller with one third of the amount so paid in computing the taxes to be paid for the year ending June 30, 1896.

§ 186 **Franchise tax on water-works companies, gas companies, electric or steam heating, lighting and power companies.** Every corporation, joint-stock company or association formed for supplying water or gas, or for electric or steam heating, lighting or power purposes, shall pay to the state for the privilege of exercising its corporate franchises or carrying on its business in such corporate or organized capacity in this state, an annual tax which shall be five tenths of 1% upon its gross earnings from all sources within this state, and 3% upon the amount of dividends declared or paid in excess of 4% upon the actual amount of paid-up capital employed by such corporation, joint-stock company or association.

§ 187 **Franchise tax on insurance corporations.** An annual state tax for the privilege of exercising corporate franchises or for carrying on business in their corporate or organized capacity within this state equal to 1% on the gross amount of premiums received during the preceding calendar year for business done in this state, whether such premiums were in the form of money, notes, credits, or any other substitute for money, shall be paid

annually into the treasury of the state, on or before the first day of June by the following corporations:

1 every domestic insurance corporation, incorporated, organized or formed under, by, or pursuant to a general or special law;

2 every insurance corporation, incorporated, organized or formed under, by, or pursuant to the laws of any other state of the United States, and doing business in this state, except a corporation doing a fire insurance business or a marine insurance business;

3 every insurance corporation, incorporated, organized or formed under, by, or pursuant to the laws of any state without the United States, or of any foreign country, except such a corporation doing a life, health or casualty insurance business, and doing business in this state; but the tax on gross premiums of a corporation so incorporated, organized or formed and doing a fire or marine insurance business within the state shall be equal to five tenths of 1%. This section does not apply to a fraternal beneficiary society, order or association, a corporation for the insurance of domestic animals, a town or county cooperative insurance corporation, nor to any corporation subject to the supervision of or required by or in pursuance of law to report to the superintendent of banks; but this section does apply to an individual, or partnership, or association of underwriters known as Lloyds, in so far as corporations doing the same kind of insurance business are subject to its provisions. The taxes imposed by this section shall be in addition to all other fees, licenses or taxes imposed by this or any other law, except that in assessing taxes under the reciprocal provisions of § 33 of chapter 38 of the general laws, credit shall be allowed for any taxes paid under this section. Any insurance corporation taxed under this section for the year ending December 31, 1901, shall be credited by the controller with one half of the amount of taxes paid by it into the state treasury, under the provisions of § 187 of the tax law, for the year ending June 30, 1901. The term "gross premiums" as used in this article shall include, in addition to all

other premiums, such premiums as are collected from policies subsequently canceled and from reinsurance. The term "insurance corporations" as used in this article, shall include a corporation, association, joint-stock company or association, person, society, aggregation or partnership by whatever name known doing an insurance business in this state. [*As amended by '01 ch. 118*]

**Payment of tax by agents of foreign fire insurance corporations to fire departments.** Except in the cities of New York and Buffalo there shall be paid to the treasurer of the fire department of every city or village of this state, whether incorporated or unincorporated, having a fire department, company or organization, for the use and benefit of such department, or to the treasurer of such fire department within the fire limits, as established by law, of an unincorporated village, and when no treasurer of a fire department exists, then to the treasurer or other fiscal officer of such city or village, or in case of an unincorporated village to the supervisor of the town in which such village is situated who, for the purposes of this act, shall have the same powers as the treasurers of fire departments, on the first day of February of each year, by every person who shall act as agent for or on behalf of any foreign fire insurance corporation, association or individuals which insure property against loss or injury by fire, the sum of \$2 upon the hundred dollars, and at that rate, upon the amount of all premiums which during the year or part of a year ending on the last preceding 31st day of December shall have been received by such agent or person, or received by any other person for him, for any insurance effected or procured by him as such agent or broker against loss or injury by fire upon property situate within the corporate limits of such city or village, or within the fire limits of such unincorporated village. Every city, except the city of New York, village, fire department, fire, hose or hook and ladder company, fire district, or fire district association, firemen's benevolent associations, exempt or veteran firemen's associations, and every officer, board of officers and associations receiving any portion of the tax directed to be paid by this section or any similar provision of law, shall within 10 days after the receipt of the same, pay to the treasurer of the Firemen's association of the state of New York, 10% of the amount so received by it or him, for the support or maintenance of the Volunteer firemen's home at Hudson, N. Y. On or before the first day of April in each year every such city, village, fire department, fire, hose or hook and ladder company, fire district, or fire district association, firemen's benevolent associations, exempt or veteran firemen's associations, officer, board of officers and association, shall, by its chief fiscal officer, treasurer, or other officer whose duty it may be to receive such funds, deliver to the treasurer of the Firemen's association of the state of New York a statement showing the name of each person or corporation from whom any such tax shall have been received and the amount paid by each, which statement shall be verified by the officer making the same to the effect that the same is correct and true and that such statement correctly shows



the amount of such tax received by such city, village, fire department, fire, hose or hook and ladder company, fire district, or fire district association, firemen's benevolent associations, exempt or veteran firemen's associations, officer, board of officers and association since the first day of April in the preceding year. Any such city, village, fire department, fire, hose or hook and ladder company, fire district, or fire district association, firemen's benevolent associations, exempt or veteran firemen's associations, officer, board of officers and association receiving any portion of such tax and failing to make and deliver such verified statement as herein provided or omitting to pay 10% thereof to the treasurer of the Firemen's association of the state of New York as provided herein within the time above allowed shall forfeit the sum of \$50 in addition to the amount of such tax to be recovered in an action which may be maintained by said Firemen's association of the state of New York in any of the courts of this state. [92 ch.690 §133 as amended by '01 ch.726]

**Taxation of foreign corporations.** The capital of any insurance corporation incorporated under the laws of any state or country outside of the United States, to the extent employed in the transaction of business in this state, and as determined and certified as prescribed by § 27 of this chapter, shall be subject to taxation the same as the capital of a like domestic insurance corporation, to be levied, assessed and collected, as prescribed by law, at such place in the state as it shall have its principal office. Upon satisfactory proof to the superintendent of insurance that any foreign insurance corporation has neglected or refused to pay any tax levied and assessed under the laws of this state, he shall revoke any certificate of authority granted by him to such corporation to do business in this state, and it shall thereafter be precluded from doing business herein. Every life, health or casualty insurance corporation incorporated by or organized under the laws of any government outside of the United States engaged in the transaction of the business of life, health or casualty insurance in this state shall annually on or before the first day of March, pay to the superintendent of insurance a tax of 2% on all premiums received in cash or otherwise by their attorneys or agents in this state during the year ending on the preceding 31st day of December, upon which a tax on premiums has not been paid to any other state. If any such corporation shall neglect or refuse to pay such tax, the superintendent shall collect the same out of the interest on the stocks or securities deposited in the insurance department. The agent of every corporation, association or individual not incorporated by the laws of this state to effect insurances against marine risks shall annually, on or before the first day of February, pay to the superintendent of insurance a tax of 2% upon the amount of all premiums upon insurances against marine risks which have been received by such agent or any person for him or have been agreed to be paid for any such insurance effected or agreed to be effected or procured by him, within this state, for the year ending the 31st day of December preceding; but in collecting such tax from a foreign marine insurance corporation, the superintendent of insurance shall deduct therefrom all other taxes paid by such corporation under the laws of this state. In ascertaining the amount of premiums upon which said 2% tax is to be levied, there shall be deducted from the premiums aforesaid, on account of reinsur-

ances, such portion of the premiums upon said reinsurances as may have been paid to companies that are subject to the payment of the tax hereby provided for. [*'92 ch. 690 § 34 as amended by '93 ch. 725*]

**Reciprocal requirements.** If, by the existing or future laws of any state, an insurance corporation of this state having agencies in such other state or the agents thereof, shall be required to make any deposit of securities in such other state for the protection of policy holders or otherwise, or to make payment for taxes, fines, penalties, certificates of authority, license fees or otherwise, greater than the amount required by this chapter from similar corporations of such other state by the then existing laws of this state, then and in every such case, all insurance corporations of such state established or heretofore having established an agency or agencies in this state shall be and they are hereby required to make the like deposit for the like purposes in the insurance department of this state, and to pay the superintendent of insurance for taxes, fines, penalties, certificates of authority, license fees and otherwise, an amount equal to the amount of such charges and payments imposed by the laws of such other state upon the insurance corporations of this state and the agents thereof. The superintendent of insurance may remit any of the fees and charges which he is required by law to collect, except such as he is required to collect by virtue of this section; but no discrimination shall be made in favor of one corporation over another from the same state or country. Whenever it shall appear to the superintendent of insurance that permission to transact business within any foreign country is refused to a company organized under the laws of this state, after a certificate of the solvency and good management of such company has been issued to it by the said superintendent and after such company has complied with any reasonable laws of such foreign country requiring deposits of money or securities with the government of such country, then and in every such case, the superintendent shall forthwith cancel the authority of every company organized under the laws of such foreign government and licensed to do business in this state, and shall refuse a certificate of authority to every such company thereafter applying to him for authority to do business in this state, until his certificate shall have been duly recognized by the government of such country. [*'92 ch. 690 § 33 as amended by '98 ch. 23*]

**§ 187a Franchise tax on trust companies.** Every trust company incorporated, organized or formed under, by or pursuant to a law of this state, and any company authorized to do a trust company business solely or in connection with any other business, under a general or special law of this state, shall pay to the state annually for the privilege of exercising its corporate franchise or carrying on its business in such corporate or organized capacity, an annual tax which shall be equal to 1% on the amount of its capital stock, surplus and undivided profits. Any corporation taxed under this section for the year ending June 30, 1901, shall

be credited by the controller with one third of the amount of taxes paid by it into the state treasury under the provisions of § 182 of the tax law for the year ending October 31, 1900. [*As amended by '01 ch. 132*]

§ 187b. **Franchise tax on savings banks.** Every savings bank incorporated, organized or formed under, by or pursuant to a law of this state, shall pay to the state annually for the privilege of exercising its corporate franchise or carrying on its business in such corporate or organized capacity, an annual tax which shall be equal to 1% on the par value of its surplus, and undivided earnings. [*As amended by '01 ch. 117*]

§ 188 **Tax upon foreign bankers.** Every foreign banker doing business in this state, shall annually pay to the treasurer a tax of 5% on the amount of interest or compensation of any kind earned and collected by him on money loaned, used or employed in this state by such banker. The term, doing a banking business, as used in this section, means doing such business as a corporation may be created to do under article two of the banking law, or doing any business which a corporation is authorized by such article to do. The term, foreign banker doing a banking business in this state, as used in this section, includes:

1 every foreign corporation doing a banking business in this state, except a national bank;

2 every unincorporated company, partnership or association of two or more individuals, organized under or pursuant to the laws of another state or country, doing a banking business in this state;

3 every other unincorporated company, partnership or association, of two or more individuals, doing a banking business in this state, if the members thereof, owning more than a majority interest therein, or entitled to more than one half of the profits thereof, or who would, if it were dissolved, be entitled to more than one half of the net assets thereof, are not residents of this state;

4 every nonresident of this state, doing a banking business in this state, in his own name and right only. [*As amended by '00 ch. 500*]

§ 189 **Reports of corporations.** Corporations liable to pay a tax under this article shall report as follows:

1 **Corporations paying franchise tax.** Every corporation, association or joint-stock company liable to pay a tax under § 182 of this chapter shall, on or before November 15 in each year, make a written report to the controller of its condition at the close of its business on October 31 preceding, stating the amount of its authorized capital stock, the amount of stock paid in, the date and rate per cent of each dividend declared by it during the year ending with such day, the entire amount of the capital of such corporation, and the capital employed by it in this state during such year.

2 **Transportation and transmission corporations.** Every transportation or transmission corporation, joint-stock company or association liable to pay an additional tax under § 184 of this chapter, shall also, on or before August 1 in each year, make a written report to the controller of its condition at the close of its business on June 30 preceding, stating the amount of its gross earnings from all sources and the amount of its gross earnings from its transportation or transmission business originating and terminating within this state.

3 **Elevated and surface railroad corporations.** Every corporation, joint-stock company or association liable to pay a tax under § 185 of this chapter, shall, on or before August 1 of each year, make a written report to the controller of its condition at the close of its business on June 30 preceding, stating the amount of its gross earnings from business done in this state, the amount of dividends of every nature declared or paid during the year ending June 30, the authorized capital of the company and the amount of capital stock actually issued and outstanding.

4 **Water-works, gas, electric, steam heating, lighting and power corporations.** Every corporation, joint-stock company or associ-

ation liable to pay a tax under § 186 of this chapter, shall, on or before December 1 of each year, make a written report to the controller of its condition at the close of its business on October 31 preceding, stating the amount of its gross earnings from business done in this state, the amount of dividends of every nature declared or paid during the year ending with October 31, the authorized capital of the company and the amount of capital stock actually issued and outstanding.

**5 Insurance corporations.** Every insurance corporation liable to pay a tax under § 187 of this chapter, shall, on or before March 1 in each year, make a written report to the controller of its condition at the close of its business on December 31 preceding, stating the entire amount of premiums received on business done thereby in this state during the year ending with such day, whether the premiums were in money or in the form of notes, credits or other substitutes for money. [*As amended by '01 ch. 118*]

**6 Foreign bankers.** Every foreign banker liable to pay a tax under § 188 of this chapter shall, on or before February 1 in each year, make a written report to the controller of the condition of his business on December 31 preceding, stating the amount of tax for which he is liable under this article, and giving in detail the facts required by the last preceding section for the purpose of ascertaining and computing the same.

**7 Trust companies.** Every company liable to pay a tax under § 187a of this chapter shall, on or before August 1 in each year, make a written report to the controller of its condition at the close of business on June 30 preceding, separately stating the amount of its capital stock, the amount of its surplus, and the amount of its undivided profits, and containing such other data, information or matter as the controller may require. [*As amended by '01 ch. 132*]

**8 Savings banks.** Every savings bank liable to pay a tax under § 187b of this chapter, shall, on or before August 1 in each year, make a written report to the controller of its condition, at the

close of business on June 30 preceding, stating the par value of its surplus, and undivided earnings and containing such other data, information or matter as the controller may require. [*As amended by '01 ch. 117*]

§ 190 **Value of stock to be appraised.** In case no dividend has been declared, by a corporation, association or joint-stock company liable to pay a tax under § 182 of this chapter, the treasurer or secretary of the company, shall, under oath, between the first and 15th day of November in each year, estimate and appraise the capital stock of such company upon which no dividend has been declared, or upon which the dividend amounted to less than 6% at its actual value in cash, not less, however, than the average price which said stock sold for during said year, and shall forward the same to the controller with the report provided for in the last section. If the controller is not satisfied with the valuation so made and returned he is authorized and empowered to make a valuation thereof, and settle an account upon the valuation so made by him, and the taxes, penalties and interest to be paid the state.

§ 191 **Further requirements as to report of corporations.** Every report required by this article shall have annexed thereto, the affidavit of the president, vice-president, secretary or treasurer of the corporation, association or joint-stock company or of the person or one of the persons, or the members of the partnership making the same, to the effect that the statements contained therein are true. Such reports shall contain any other data, information or matter which the controller may require to be included therein, and he may prescribe the form in which such reports shall be made and the form of oath thereto. When so prescribed such form shall be used in making the report. The controller may require at any time a further or supplemental report under this article, which shall contain information and data upon such matters as the controller may specify.

§ 192 **Powers of controller to examine into affairs of corporation.** In case any report required by any of the preceding sections of

this article shall be unsatisfactory to the controller, or if any such report is not made as herein required, the controller is authorized to make an estimate of the dividends paid by such corporation and the value of the capital stock employed by it, from any such report or from any other data, and to order and state an account according to the estimate and value so made by him for the taxes, percentage and interest due the state from such corporation, association, joint-stock company, person or partnership. The controller shall also have power to examine or cause to be examined in case of a failure to report or in case the report is unsatisfactory to him, the books and records of any such corporation, joint-stock association, company, foreign banker, person or partnership, and may hear testimony and take proofs material for his information, either personally or he may appoint a commissioner by a written appointment under his hand and official seal for that purpose. Every commissioner so appointed shall be authorized to make such examination and take such testimony and hear such proofs and report the proofs and testimony so taken and the result of his examination so made and the facts found by him to the controller. The controller shall, therefrom, or from any other data which shall be satisfactory to him, order and state an account for the tax due the state, together with the expenses of such examination and the taking of such testimony and proofs. Such expenses shall be fixed and adjusted by the controller.

§ 193 Notice of statement of tax; interest. Upon auditing and stating every account for taxes or other charges under this article, the controller shall forthwith send notice thereof in writing to the person, partnership, company, association or corporation against whom the same is made, which notice may be mailed to the postoffice address of such person, partnership, association, company or corporation. All accounts so audited and stated shall bear interest upon the total amount found due thereon to the state, for taxes, percentage, interest and other charges, from the expiration of 30 days after sending such notice until payment thereof shall be made.

§ 194 **Payment of tax and penalty for failure.** A tax imposed by § 182 or 186 of this chapter, shall be due and payable into the state treasury on or before the 15th day of January in each year. A tax imposed by § 184 of this chapter on a transportation or transmission corporation, or by § 185, on elevated railroads or surface railroads not operated by steam, shall be due and payable into the state treasury on or before the first day of August in each year. A tax imposed by § 187 of this chapter on an insurance corporation shall be due and payable into the state treasury on or before the first day of June in each year. A tax imposed by § 187a or 187b shall be due and payable into the state treasury on or before the first day of September in each year. A tax imposed by § 188 of this chapter on a foreign banker shall be due and payable into the state treasury on or before February 1 in each year. If such tax in any case is not paid within 30 days after the same becomes due, or if the report of any such corporation is not made within the time required by this article, the corporation, association, joint-stock company, person or partnership, liable to pay the tax, shall pay into the state treasury in addition to the amount of such tax, a sum equal to 5% thereof, and 1% additional for each month the tax remains unpaid, which sum shall be added to the tax and paid or collected therewith. Every corporation, association, joint-stock company, person or partnership failing to make the annual report required by this article, or failing to make any special report required by the controller, within any reasonable time to be specified by him, shall forfeit to the people of the state the sum of \$100 for every such failure, and the additional sum of \$10 for each day that such failure continues. Such tax shall be a lien upon and bind all the real and personal property of the corporation, joint-stock company or association liable to pay the same from the time when it is payable until the same is paid in full. [*As amended by '01 ch. 132 and 558*]

§ 195 **Revision and readjustment of accounts by controller.** The controller may, at any time within one year from the time any such account shall have been audited and stated, and notice



thereof sent to the person, partnership, company, association or corporation against whom it is stated, revise and readjust such account upon application therefor by the party against whom the account is stated or by the attorney-general, and if it shall be made to appear upon any such application by evidence submitted to him or otherwise, that any such account included taxes or other charges which could not have been lawfully demanded, or that payment has been legally made or exacted of any such account, he shall resettle the same according to law and the facts, and charge or credit, as the case may require, the difference, if any, resulting from such revision or resettlement upon the accounts for taxes of or against any such person, partnership, company, association or corporation. The controller shall forthwith send written notice of its determination upon such application to the applicant, which notice may be sent by mail to his postoffice address.

§ 196 **Review of determination of controller by certiorari.** The determination of the controller upon any application made to him by any person, partnership, company, association or corporation for a revision and resettlement of any account, as prescribed in this article, may be reviewed both upon the law and the facts, upon certiorari by the supreme court at the instance of any person, partnership, company, association or corporation affected thereby, and in the name and on behalf of the people of the state. For the purpose of such review the controller shall return, on such certiorari, the accounts and all the evidence before him on such application, and all the papers and proofs upon the original statement of such account and all proceedings thereon. If the original or resettled accounts shall be found erroneous or illegal, either in point of law or of fact, by the supreme court, upon any such review, the accounts reviewed shall then be corrected and restated, and from any determination of the supreme court upon any such review, an appeal to the court of appeals may be taken by either party.

§ 197 **Regulations as to such writ of certiorari.** No certiorari to review any audit and statement of an account or any determina-

tion by the controller under this article, shall be granted unless notice of application therefor is made within 30 days after the service of the notice of such determination. Eight days' notice shall be given to the controller of the application for such writ. The full amount of the taxes, percentage, interest and other charges, audited and stated in such account must be deposited with the state treasurer before making the application and an undertaking filed with the controller in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such writ is dismissed or the determination of the controller affirmed, the applicant for the writ will pay all costs and charges which may accrue against him, or it in the prosecution of the writ, including costs of all appeals.

§ 198 **Warrant for the collection of taxes.** After the expiration of 30 days from the sending by the controller of a notice of a settlement of an account as provided in this article, unless the amount of such account shall have been paid or deposited with the state treasurer, if an appeal or other proceedings have been taken to review the same, and the undertaking given as provided in this article, the controller may issue a warrant under his hand and official seal, directed to the sheriff of any county of the state, commanding him to levy upon and sell the real and personal property of the person, partnership, company, association or corporation against which such account is stated, found within his county for the payment of the amount thereof with interest thereon and costs of executing the warrant, and to return such warrant to the controller and pay to the state treasurer the money collected by virtue thereof, by a time to be therein specified, not less than 60 days from the date of the warrant. Such warrant shall be a lien upon and shall bind the real and personal property of the person, partnership, company, association or corporation against which it is issued, from the time an actual levy shall be made by virtue thereof. The sheriff to whom any such warrant shall be directed shall proceed upon the same in all respects, with like effect, and in the same manner as prescribed by law in respect to executions issued against prop-

erty upon judgments of a court of record, and shall be entitled to the same fees for his services in executing the warrant, to be collected in the same manner.

§ 199 **Information of delinquents.** It shall be the duty of any person having knowledge of the evasion of taxation under this article by any corporation, association, joint-stock company, partnership or person liable to taxation thereunder, for any omission on their part to make the reports required by this article, to make a written report thereof to the controller of the state, with such information as may be in his possession as may lead to the recovery of any taxes due the state therefrom. If, in his opinion, the interests of the state require it, the controller may employ such person to assist in the collection and preparation of evidence and in the prosecution and trial of actions for such taxes, and so much of the same, not exceeding ten per centum thereof, as may be collected from any such delinquent corporation, association, company, partnership or person, by reason of such report and such services, as shall have been agreed upon between such person and the controller or attorney-general as a compensation therefor, shall be paid to such person, and nothing shall be paid to such person for such report or services unless there shall be a recovery of taxes by reason thereof.

§ 200 **Action for recovery of taxes; forfeiture of charter of delinquent corporation.** An action may be brought by the attorney-general, at the instance of the controller, in the name of the state, to recover the amount of any account audited and stated by the controller under the provisions of this article. If any such account shall remain unpaid at the expiration of one year after notice of the statement thereof has been sent as required by this article, and the controller is satisfied that the failure to pay the same is intentional, he shall so report to the attorney-general, who shall immediately bring an action, in the name of the people of the state, for the forfeiture of the franchise of any corporation, joint-stock company or association failing to make such payment, and if it is found that such failure was intentional, judgment shall be rendered in such action for the for-

feiture of its franchise and for its dissolution, and thereafter such franchise shall be annulled.

§ 201 **Reports to be made by the secretary of state.** The secretary of state shall transmit on the first day of each month to the controller, a report of the stock corporations whose certificates of incorporation are filed, or of the foreign stock corporations to whom a certificate of authority has been issued to do business in this state, during the preceding month. Such report shall state the name of the corporation, its place of business, the amount of its capital stock, its purposes or objects, the names and places of residence of its directors, and, if a foreign corporation, its place of business within the state. The controller may prescribe the forms and furnish the blanks for such reports. The secretary of state shall make like reports to the controller whenever required by him relating to any such corporations whose certificates have been filed or to whom a certificate of authority has been issued prior to the time when this article takes effect, and during any period of time specified by the controller in his request for such report.

§ 202 **Exemptions from other state taxation.** The personal property of every corporation, company, association or partnership, taxable under this article, other than for an organization tax, shall be exempt from assessment and taxation upon its personal property for state purposes, and the personal property of every corporation taxable under § 187a of this article, other than for an organization tax, and as provided in ch. 37 of the general laws, shall be exempt from assessment and taxation for all other purposes, if all taxes due and payable under this article have been paid thereby. The personal property of a private or individual banker, actually employed in his business as such banker, shall be exempt from taxation for state purposes, if such private or individual banker shall have paid all taxes due and payable under this article. Such corporation and private or individual banker shall in no other respect be relieved from assessment and taxation by reason of the provisions of this article. The owner and holder of stock in an incorporated trust company

liable to taxation under the provisions of this act shall not be taxed as an individual for such stock. [*As amended by '01 ch. 118*]

§ 203 **Application of taxes.** The taxes imposed by this article and the revenues thereof shall be applicable to the general fund of the treasury and to the payment of all claims and demands which are a lawful charge thereon.

## MASSACHUSETTS

### Public statutes ch. 11

**Property subject to taxation.** § 2 All property, real and personal, of the inhabitants of this state, not expressly exempted by law, shall be subject to taxation as hereinafter provided.

**Real estate.** § 3 Real estate for the purposes of taxation, shall include all lands within this state, and all buildings and other things erected on or affixed to the same.

**Personal estate.** § 4 Personal estate shall, for the purposes of taxation, include, goods, chattels, money and effects, wherever they are, ships and vessels at home or abroad, except as provided in § 8, money at interest, and other debts due the persons to be taxed more than they are indebted or pay interest for, but not including in such debts or indebtedness any loan on mortgage of real estate, taxable as real estate, except the excess of such loan above the assessed value of the mortgaged real estate, public stocks and securities, bonds of all railroads including street railways, stocks in turnpikes, bridges and moneyed corporations within or without the state, the income from an annuity, from ships and vessels engaged in the foreign carrying trade within the meaning of § 8, and so much of the income from a profession, trade or employment as exceeds the sum of \$2000 a year, and which has accrued to any person during the year ending on the first day of May of the year in which the tax is assessed, but no income shall be taxed which is derived from property subject to taxation: provided, that no taxes shall be assessed in any city or town for state, county, or town purposes upon the shares in the capital stock of a corporation organized

or chartered in the commonwealth paying a tax on its corporate franchises, under the provisions of ch. 13, for any year in which it pays such tax, but such shares shall be taxable to the owners thereof for school district and parish purposes, and this proviso shall apply to corporations mentioned in the 46th section of said ch. 13. [*As amended by '82 ch. 76, '87 ch. 228, '88 ch. 363*] . . .

**Shares of foreign corporations.** Shares of the capital stock of a foreign manufacturing corporation, if owned by citizens of this commonwealth, are taxable here for their full value, without deducting the value of the machinery and real estate belonging to such corporation, and taxed to it at the place where it is established. [*12 Allen 316*]

**Property exempted.** § 5 The following property and polls shall be exempted from taxation. . .

3d, The personal property of literary, benevolent, charitable and scientific institutions and temperance societies incorporated within this commonwealth, and the real estate belonging to such institutions occupied by them or their officers for the purposes for which they were incorporated; but such real estate when purchased by such a corporation with a view to removal thereto, shall not, prior to such removal, be exempt for a longer period than two years; but none of the real or personal estate of such corporations organized under general laws shall be exempt when any portion of the income or profits of the business of such corporations is divided among their members or stockholders or used or appropriated for other than literary, educational, benevolent, charitable, scientific or religious purposes. The personal property and real estate belonging to grand army and veteran associations incorporated within this commonwealth for the purpose of owning property for the use and occupation by posts of the grand army of the republic shall, to the extent of \$20,000, if the same shall be in actual use and occupation by such associations, be deemed to be the property of charitable institutions, and exempt from taxation, provided the net income from said property is used for charitable purposes in aid of needy soldiers of the war of the rebellion, and their dependents. [*As amended by '86 ch. 231, '88 ch. 158, '89 ch. 465*]. . .

Such property is not to be exempt from taxation unless a list and statement of real and personal estate is brought in to the assessors as required by '82, ch. 217, as amended by '88 ch. 823.

7th, Houses of religious worship owned by a religious society, or held in trust for the use of religious organizations, and the pews and furniture (except for parochial purposes); but portions of such houses appropriated for purposes other than religious worship shall be taxed at the value thereof to the owners of the houses.

8th, Cemeteries, tombs, and rights of burial, so long as the same shall be dedicated for the burial of the dead.

9th, The estate, both real and personal of incorporated agricultural societies.

Such portions of real estate and buildings belonging to incorporated horticultural societies as are used for their offices, libraries, and exhibitions shall be exempt from taxation. ['84 ch. 176 §1]

**Public service corporations.** The Western railroad corporation is not liable to be taxed for the land, not exceeding 5 rods in width, over which it is authorized to lay out its road, nor for buildings and structures thereon erected, if such buildings and structures are reasonably incident to the support of the road or to its proper and convenient use for the carriage of passengers and property such as houses for the reception of passengers, engine houses, car houses and depots for the convenient reception, preservation and delivery of merchandise carried on the road. . . From this view of the various provisions of the law, by which the rights and duties of the Western railroad corporation are regulated, it is manifest that the establishment of that great thoroughfare is regarded as a public work, established by public authority, intended for the public use and benefit, the use of which is secured to the whole community, and constitutes therefore, like a canal, turnpike or highway, a public easement. The only principle, on which the legislature could have authorized the taking of private property for its construction, without the owner's consent, is, that it was for the public use. Treating the railroad then as a public easement, the works erected by the corporation as public works intended for public use, we consider it well established that, to some extent at least, the works, necessarily incident to such public easement, are public works, and as such exempted from taxation. Such we believe has been the uniform practice in regard to bridges, turnpikes, and highways, and their incidents; and also in regard to other public buildings and structures of a like kind; as state houses, forts and arsenals, courthouses, jails, churches, town houses, schoolhouses; and generally to houses appropriated specially to public uses. [4 Met. 564, 566]

A tax on the franchise of a corporation is not a tax on its property. [12 Mass. 252]

**Property used in manufacture of beet sugar.** § 6 Any city or town, for the term of 10 years next after the fourth day of May, in the year 1872, may exempt from taxation all property therein

used exclusively in the business of manufacturing beet-sugar (except property of foreign corporations): provided, that this exemption shall not apply to lands upon which beets are raised for the purpose of manufacture. . .

**Personal estate, where taxed.** § 20 All personal estate, within or without the commonwealth, shall be assessed to the owner in the city or town where he is an inhabitant on the first day of May, except as provided in ch. 13 and in the following clauses of this section:

1st, All goods, wares, merchandise, and other stock in trade (except ships or vessels owned by a copartnership), including stock employed in the business of manufacturing or of the mechanic arts, in cities or towns within the commonwealth, other than where the owners reside, whether such owners reside within or without the commonwealth, shall be taxed in those places where the owners hire or occupy manufactories, stores, shops, or wharves, whether such property is within said places or elsewhere on the first day of May of the year when the tax is made.

2d, All machinery employed in any branch of manufactures shall be assessed where such machinery is situated or employed; and, in assessing the stockholders for their shares in any manufacturing corporation, there shall first be deducted from the value thereof the value of the machinery and real estate belonging to such corporation. . .

10th, All machines employed in any branch of manufactures and used or operated under a stipulation providing for the payment of a royalty or compensation in the nature of a royalty for the privilege of using or operating the same, shall be assessed where such machines are situated or employed to the owner or any person, firm or corporation in possession of the same on the first day of May. [*As amended by '87 ch. 125*]

**Foreign corporations.** A corporation organized under the laws of another state, having an office and doing a large part of its business in a city in this commonwealth, can not be taxed on money deposited by it with a national bank in that city, and the provisions of P. S. ch. 11 § 20, that "All personal estate, within or without the commonwealth, shall be assessed to the owner in the city or town where he is an inhabitant on the first day of May, except," etc., do not apply. [158 *Mass.* 461]



If a foreign corporation has a place of business in this commonwealth, where it has personal property, consisting of office furniture and fixtures, and where it keeps personal property pledged to it as collateral security for money lent, which it sells when not redeemed, such place of business is a "shop," and the property so used and pledged is "stock in trade," which is taxable to it, under P. S. ch. 11 § 12 cl. 1. [137 *Mass.* 332]

Debts due do not come within the description of goods, wares, merchandise, and other stock in trade, taxable under P. S. ch. 11 § 20 cl. 1. By stock in trade is meant the visible and tangible property with which the trade or business of the owner is carried on, and to which it relates. [161 *Mass.* 326]

**Shareholders, evasion of taxation.** § 28 Any shareholder, who, with intent to avoid taxation, fraudulently transfers a share of corporate stock, or fraudulently causes or procures a certificate of a share to be issued to any person other than himself, or in any name other than his own; or refuses to inform, or wilfully misinforms, the corporation respecting his name or residence; or, having changed his residence to another city or town in the commonwealth, wilfully omits to give notice thereof to any corporation in the commonwealth in which he is a shareholder, shall forfeit one half of the par value of the shares so transferred, issued, or owned by him in the stock of such corporation, to be recovered by an action of tort to the use of the city or town in which he resides. . . .

**Assessors' return to tax commissioner.** § 86 The assessors shall annually, on or before the first Monday of August, return to the tax commissioner the names of all corporations, except banks of issue and deposit, having a capital stock divided into shares, chartered by the commonwealth or organized under the general laws for the purposes of business or profit, and established in their respective cities and towns or owning real estate therein, and of all companies, copartnerships, and other associations having a location or place of business in this commonwealth in which the beneficial interest is held in shares assignable without consent of the other associates specifically authorizing such transfer, and a statement in detail of the works, structures, real estate, and machinery owned by each of said corporations, companies, copartnerships, and associations, and situated in such city or town, with the value thereof, on the first day of May preceding,

and the amount at which the same is assessed in said city or town for the then current year. They shall also, at the same time, return to the tax commissioner the amount of taxes laid, or voted to be laid, within said city or town, for the then current year, for state, county, and town purposes.

**Penalty.** § 87 If the assessors of a city or town neglect to comply with the requirements of the preceding section, each assessor so neglecting shall forfeit \$100.

### Public statutes ch. 13

**Lists of corporations.** § 3 The tax commissioner shall annually, on or before the 20th day of June in each year, cause to be forwarded to the assessors of every city and town a list of all Massachusetts corporations, and of all companies, copartnerships, or associations known to him to be taxable on the first day of May next preceding said 20th day of June, on their corporate franchises or property under the provisions of this chapter, with such other information in his possession as in his judgment will assist them in the assessment of taxes.

**Bonds and stock held as collateral.** § 4 Every corporation established within the commonwealth by special charter, or organized under the general laws thereof, which on the first day of May in any year holds, as collateral security for borrowed money or other liability, bonds of any description or shares of stock in corporations other than those subject to taxation on their corporate franchises or stock under the provisions of this chapter, shall annually, between the first and 10th days of May, return to the tax commissioner the whole number of such shares and bonds so held, the names and residences of the persons pledging the same, and the number, denomination, and the par and cash market value, if known, of the shares and bonds pledged by each; and the tax commissioner shall, on or before the 20th day of June in each year, transmit to the assessors copies of the list furnished by such corporations.

**Penalty.** § 5 A corporation neglecting or refusing to make the returns required by the preceding section, or wilfully making a

return which is materially false or defective, shall forfeit for each offense not less than \$50 nor more than \$1000, to be recovered by an action of tort to the use of the city or town in which the person pledging such stock or bonds resides. . .

**Stocks held by trustees.** § 7 Every guardian who holds, or whose ward holds, shares or stock in any corporation, including banks located in the commonwealth, and companies, partnerships, or associations taxable under this chapter, and every executor, administrator, or other person who holds in trust any such stock, shall, between the first and 10th days of May in each year, return under oath to said commissioner the names and residences, on the first day of that month, of themselves and of all such wards or other persons to whom any portion of the income from such stock is payable, the number of shares of stock so held, and the name and location of the corporation, company, partnership, or association in which they are held.

Every partnership shall, between the first and 10th days of May in each year, make a like return, stating the amount of such stock owned by the firm, the names and residences of all the partners, and the proportional interest or ownership of each partner in said stock. Any guardian, executor, administrator, trustee, or partnership, neglecting to comply with the requirements of this section, shall forfeit \$100.

**Bank shares.** § 8 All the shares of stock in banks, whether of issue or not, existing by authority of the United States or of the commonwealth, and located within the commonwealth, shall be assessed to the owners thereof in the cities or towns where such banks are located, and not elsewhere, in the assessment of all state, county, and town taxes imposed and levied in such place, whether such owner is a resident of said city or town or not; all such shares shall be assessed at their fair cash value on the first day of May, first deducting therefrom the proportionate part of the value of the real estate belonging to the bank, at the same rate, and no greater, than that at which other moneyed capital in the hands of citizens and subject to taxation is by law assessed. And the persons or corporations who appear from

the records of the banks to be owners of shares at the close of the business day next preceding the first day of May in each year shall be taken and deemed to be the owners thereof for the purposes of this section.

*Tax on shares paid by bank.* § 9 Every such bank or other corporation shall pay to the collector, or other person authorized to collect the taxes of the city or town in which the same is located, at the time in each year when other taxes assessed in the said city or town become due, the amount of the tax so assessed in such year upon the shares in such bank or other corporation. If such tax is not so paid, the said bank or other corporation shall be liable for the same; and the said tax, with interest thereon at the rate of 12% per annum from the day when the tax became due, may be recovered in an action of contract brought by the treasurer of such city or town.

*Lien on shares.* § 10 The shares of such banks or other corporations shall be subject to the tax paid thereon by the corporation or by the officers thereof, and the corporation and the officers thereof shall have a lien on all the shares in such bank or other corporation and on all the rights and property of the shareholders in the corporate property for the payment of said taxes.

*Names of shareholders. Rate.* § 11 The cashier of every such bank shall make and deliver to the assessors of the city or town in which such bank is located, on or before the 10th day of May in each year, a statement verified by the oath of such cashier showing the name of each shareholder, with his residence and the number of shares belonging to him at the close of the business day next preceding the first day of May, as the same then appeared on the books of said bank. If the cashier fails to make such statement, said assessors shall forthwith, upon such failure, obtain a list of shareholders, with the residence of, and number of shares belonging to each.

In either case the assessors shall, immediately upon obtaining such list or statement, transmit to the tax commissioner a true copy of the same; and shall, by notice in writing, inform said commissioner of the rate per cent upon the valuation of the

city or town of the total tax in such city or town for the year, immediately upon the ascertainment thereof, and also of the amount assessed by them upon the shares of each bank located therein.

*Distribution of tax.* § 12 Said commissioner shall thereupon, as soon as may be, determine from the returns and otherwise the proportionate amount of the tax so assessed upon the shares in each of said banks, which has been assessed upon shares which, according to the provisions of ch. 11, would not be taxable in said city or town; and such amounts, as finally determined under the provisions of this chapter, shall be a charge to said city or town as an offset against any payments to be made from the treasury of the commonwealth to said city or town.

§ 13 Said commissioner shall, in like manner, determine the proportionate amount of tax so assessed upon shares in each of said banks, which, according to the provisions of ch. 11, would be taxable in each city or town in this commonwealth other than that in which the bank is located; and such amounts, as finally determined under the provisions of this chapter, shall become a credit to such city or town.

§ 14 Said commissioner shall, by written or printed notice delivered at the assessors office or sent by mail, inform the assessors of each city or town affected thereby of the aggregate amount of charges and credits against and in favor of such city or town, under the two preceding sections, as determined by him, forthwith, upon the determination thereof. From this determination an appeal may be made by said assessors, within the time hereinafter provided, to the board of appeal constituted under the provisions of § 62.

§ 15 Said commissioner shall, at the expiration of 10 days after notice given as provided in the preceding section, or upon being informed of the decision of the board of appeal, if an appeal is made, certify to the treasurer and receiver-general the aggregate amount of charges mentioned in § 12 against each city and town, and also the aggregate of credits mentioned in § 13 in favor of each city or town, as finally determined under the three

preceding sections; and the treasurer shall thereupon withhold out of any sums of money which are or may become payable out of the state treasury to any city or town against which a charge is certified the amount so certified, and shall allow or pay over to each city or town in favor of which a credit is certified the amount so certified.

§ 16 In the adjustment and determination of amounts due under the provisions of this chapter in relation to the taxation of bank shares, an allowance of 1% upon the amount so assessed and collected shall be made for the expenses of assessing and collecting the same; and no city or town shall be entitled in any year to an allowance of credits or payments under any of the provisions of this chapter until the assessors thereof have complied with the requirements of this chapter and of § 33 of ch. 11 in relation to the taxation of bank shares. No bank, the shares in which are made taxable by § 8, shall be subject to taxation under the provisions of § 40, nor shall the shareholders be taxable in respect to their shares therein for state, county, or town purposes, except under the provisions of this chapter.

*Deductions, savings banks and insurance companies.* § 17 The amount actually paid into the treasury of the commonwealth in each year, under the provisions of this chapter, on account of shares in banks or banking associations, which on the first day of May are the absolute property of any savings bank or institution for savings subject to taxation under the provisions of § 20, or of any insurance corporation which is subject to taxation under the provisions of § 40, shall be deducted from the tax payable under the provisions of said sections by such savings bank, institution for savings, or insurance corporation, at the next payment to the commonwealth after the assessment of bank shares as herein provided. The tax commissioner may require a statement of all such shares so owned by any such savings bank, institution for savings, or insurance corporation, to be made in a form approved by him, and signed and sworn to by the treasurer or like financial officer thereof. He shall, from such statement and other evidence, and subject to appeal by such corporation,

as herein provided in similar cases, determine the amounts to be deducted, and certify the same to the treasurer of the commonwealth upon the final determination thereof; but the amount so to be deducted from the tax payable by any savings bank or institution for savings shall not, in any year, exceed the amount of the tax assessed on account of that portion of its deposits invested in shares in banks or banking associations.

§ 17 to apply to title guaranty companies, the same as to domestic fire insurance companies. ['84 ch. 180 § 5]

*Exemptions.* § 18 The tax commissioner shall, as soon as may be after the first Monday in December in each year, certify to the treasurer the amount assessed and collected for that year in respect of shares in such banks or other corporations owned absolutely by any society, district, or institution of any of the classes specified in the third, fourth, and ninth divisions of § 5 of ch. 11, and the treasurer shall thereupon pay over such amounts to the corporations owning such shares.

§ 19 The assessors of each city or town, upon request of any person resident in such city or town, who is the owner of any shares in such banks or other corporations which, under the provisions of the 10th and 12th divisions of § 5 of ch. 11, would be entitled to exemption from taxation, shall give such owner a certificate setting forth such fact; and the treasurer of such city or town, upon request therefor and the deposit with him of such certificate, shall pay over to such owner the amount so collected in respect of such shares, immediately upon the allowance made to such city or town under the provisions of this chapter in relation to the taxation of bank shares.

*Savings banks.* § 20 Every savings bank and institution for savings, incorporated under the laws of this commonwealth, shall pay to the treasurer of the commonwealth a tax, on account of its depositors, of  $\frac{1}{2}$  of 1% per annum on the amount of its deposits, to be assessed, one half of said annual tax on the average amount of its deposits for the six months preceding the first day of May, and the other half on the average amount of its deposits for the six months preceding the first day of Novem-

preceding sections; and the treasurer shall thereupon withhold out of any sums of money which are or may become payable out of the state treasury to any city or town against which a charge is certified the amount so certified, and shall allow or pay over to each city or town in favor of which a credit is certified the amount so certified.

§ 16 In the adjustment and determination of amounts due under the provisions of this chapter in relation to the taxation of bank shares, an allowance of 1% upon the amount so assessed and collected shall be made for the expenses of assessing and collecting the same; and no city or town shall be entitled in any year to an allowance of credits or payments under any of the provisions of this chapter until the assessors thereof have complied with the requirements of this chapter and of § 33 of ch. 11 in relation to the taxation of bank shares. No bank, the shares in which are made taxable by § 8, shall be subject to taxation under the provisions of § 40, nor shall the shareholders be taxable in respect to their shares therein for state, county, or town purposes, except under the provisions of this chapter.

*Deductions, savings banks and insurance companies.* § 17 The amount actually paid into the treasury of the commonwealth in each year, under the provisions of this chapter, on account of shares in banks or banking associations, which on the first day of May are the absolute property of any savings bank or institution for savings subject to taxation under the provisions of § 20, or of any insurance corporation which is subject to taxation under the provisions of § 40, shall be deducted from the tax payable under the provisions of said sections by such savings bank, institution for savings, or insurance corporation, at the next payment to the commonwealth after the assessment of bank shares as herein provided. The tax commissioner may require a statement of all such shares so owned by any such savings bank, institution for savings, or insurance corporation, to be made in a form approved by him, and signed and sworn to by the treasurer or like financial officer thereof. He shall, from such statement and other evidence, and subject to appeal by such corporation,



as herein provided in similar cases, determine the amounts to be deducted, and certify the same to the treasurer of the commonwealth upon the final determination thereof; but the amount so to be deducted from the tax payable by any savings bank or institution for savings shall not, in any year, exceed the amount of the tax assessed on account of that portion of its deposits invested in shares in banks or banking associations.

§ 17 to apply to title guaranty companies, the same as to domestic fire insurance companies. ['84 ch. 180 § 5]

*Exemptions.* § 18 The tax commissioner shall, as soon as may be after the first Monday in December in each year, certify to the treasurer the amount assessed and collected for that year in respect of shares in such banks or other corporations owned absolutely by any society, district, or institution of any of the classes specified in the third, fourth, and ninth divisions of § 5 of ch. 11, and the treasurer shall thereupon pay over such amounts to the corporations owning such shares.

§ 19 The assessors of each city or town, upon request of any person resident in such city or town, who is the owner of any shares in such banks or other corporations which, under the provisions of the 10th and 12th divisions of § 5 of ch. 11, would be entitled to exemption from taxation, shall give such owner a certificate setting forth such fact; and the treasurer of such city or town, upon request therefor and the deposit with him of such certificate, shall pay over to such owner the amount so collected in respect of such shares, immediately upon the allowance made to such city or town under the provisions of this chapter in relation to the taxation of bank shares.

*Savings banks.* § 20 Every savings bank and institution for savings, incorporated under the laws of this commonwealth, shall pay to the treasurer of the commonwealth a tax, on account of its depositors, of  $\frac{1}{2}$  of 1% per annum on the amount of its deposits, to be assessed, one half of said annual tax on the average amount of its deposits for the six months preceding the first day of May, and the other half on the average amount of its deposits for the six months preceding the first day of Novem-

ber, and such tax shall be paid semiannually within 10 days after the first Mondays of June and December, each payment to be an assessment, by the treasurer of one half the annual percentage: provided, that so much of the deposits as are invested in real estate used for banking purposes or in loans secured by mortgages of taxable real estate shall be exempt from taxation under the provisions of this section, and that so much of said deposits as are invested in real estate, the title to which has been acquired by the completion of foreclosure, or by purchase under the provisions of § 20 of ch. 116, shall be exempt from taxation under the provisions of this section, for the period named in said section.

Tax commissioner to make assessment in place of treasurer. ['90 ch. 160 § 4]

*Returns.* § 21 Every savings bank and institution for savings incorporated under the laws of the commonwealth shall semiannually, on or before the second Mondays of May and November, make to the treasurer of the commonwealth a return, signed and sworn to by its president and treasurer, of the amount of its deposits on the first days of May and November of each year, and of the average amount of its deposits for the six months next preceding each of said days. Every such corporation neglecting to make such return shall forfeit \$50 for each day of such neglect; and any such corporation wilfully making false statements in any such return shall be liable to pay a fine of not less than \$500 nor more than \$5000.

*Penalties.* § 22 Every savings bank or institution neglecting to pay the taxes imposed by § 20 shall be liable for the same, with costs and interest, in an action of contract in the name of the commonwealth at the suit of the treasurer; and, on application therefor of the treasurer to a justice of the supreme judicial court, shall be further liable to injunction restraining said savings bank or institution, and the agents thereof, from the further prosecution of its business, until all such taxes with cost and interest shall be fully paid.

*Depositors exempt.* § 23 All deposits taxed under § 20 shall be otherwise exempt from taxation for the current year in which the tax is paid.

*Cooperative saving fund and loan association.* § 24 Taxing cooperative saving fund and loan associations  $\frac{1}{4}$  of 1% on dues paid by shareholders is repealed by '90 ch. 63 § 2.

*Cooperative banks.* § 1 The capital stock, corporate franchises and personal estate of cooperative banks shall be exempted from taxation; but this act shall not be construed to exempt from taxation any real estate of such corporations.

§ 2 Section 24 of ch. 13 of the public statutes is hereby repealed. ['90 ch. 63]

*Life insurance.* § 25 Every corporation and association engaged within the commonwealth, by its officers or by agents as defined by ch. 119, in the business of life insurance, whether incorporated by authority of this commonwealth or otherwise, shall annually pay an excise tax of an amount to be determined by assessment of the same at the rate of  $\frac{1}{4}$  of 1% per annum upon a valuation equal to the aggregate net value of all policies in force on the 31st day of December then next preceding, issued or assumed by such corporation or association and held by residents of the commonwealth.

*Returns. Assessment. Collection.* § 26 Every such corporation shall annually, on or before the 10th day of May, make a return to the tax commissioner, signed and sworn to by its president and secretary, giving the number, date, and class of the policies so held, the age of the assured life, and the aggregate net value of each group requiring a separate computation to determine their net value and the combined aggregate. The tax commissioner shall, upon such return, and such other evidence as he may obtain, assess and determine the amount to be paid by such corporation under the requirements of the preceding section; and the provisions of § 53 and 59 shall apply to the determination of the amount, notification, and time of payment of assessments under the preceding section, except that notification shall be made to the secretary or general agent of the company or association instead of to the treasurer. [As amended by '87 ch. 283]

*Residence of policyholders.* § 27 For the purpose of the two preceding sections all persons or corporations shall be deemed residents of the commonwealth who, under the provisions of ch. 11, are made liable to taxation on account of personal property other than that mentioned in the first, second, and third divisions of § 20 of said chapter, owned or held by or for them in trust, pledged, or otherwise.

*Penalty. Enforcement.* § 28 Every corporation or association neglecting to make return as required by § 26 shall forfeit \$50 for each day of such neglect; and any corporation wilfully making false statements in any such return shall be liable to pay a fine of not less than \$500 nor more than \$5000. All sums so forfeited, and all taxes unpaid, when due, by a corporation under § 25 and 26, may be collected by information in equity brought in the supreme judicial court in the name of the attorney-general at the relation of the treasurer and receiver-general; and upon such information the court may issue an injunction restraining the further prosecution of the business, or of any part thereof, of the corporation named therein, until said sums forfeited as aforesaid, or said taxes due and unpaid as aforesaid, are paid, together with interest and the costs of the information, and until the returns required by § 26 are made.

*Domestic insurance other than life.* § 29 Every fire, marine, fire and marine, and other insurance company, incorporated under the laws of the commonwealth, except life insurance companies, and except companies subject to taxation on their corporate franchise under the provisions of this chapter, shall, as hereinafter provided, annually pay a tax or excise of 1% on all premiums received during the year for insurance, whether in cash or in notes absolutely payable, and 1% on all assessments made by such company upon policy-holders: provided, that, in the assessment of such tax, premiums received in other states where they are subject to a like tax shall not be included.

*Foreign insurance other than life.* § 30 Every fire, marine, fire and marine, and other insurance company, corporation, association, or partnership, including associations formed upon the plan

known as Lloyds, which is incorporated or associated by authority of any other state of the United States, shall, as herein-after provided, annually pay a tax or excise upon all premiums charged or received on contracts made in this commonwealth for the insurance of property or interest therein, or received or collected by agents in this commonwealth, at the rate of 2%, and at such greater rate, if any, as shall be equal to the highest rate imposed during the year by the laws of such other state upon insurance companies incorporated by authority of this commonwealth, or upon their agents, when doing business in such state.

**Fire insurance by unauthorized companies.** The insurance commissioner, upon the annual payment of a fee of \$20, may issue licenses to citizens of this commonwealth, subject to revocation at any time, permitting the person named therein to procure policies of fire insurance on property in this commonwealth in foreign insurance companies not authorized to transact business in this commonwealth. Before the person named in such a license shall procure any insurance in such companies on any property in this commonwealth he shall in every case execute and file with the insurance commissioner an affidavit that he is unable to procure, in companies admitted to do business in the commonwealth, the amount of insurance necessary to protect said property, and shall only procure insurance under such license after he has procured insurance in companies admitted to do business in this commonwealth to the full amount which said companies are willing to write on said property. Each person so licensed shall keep a separate account of the business done under the license, a certified copy of which account he shall forthwith file with the insurance commissioner, showing the exact amount of such insurance placed for any person, firm, or corporation, the gross premium charged thereon, the companies in which the same is placed, the date of the policies and the term thereof, and also a report in the same detail of all such policies canceled, and the gross return premiums thereon, and before receiving such license shall execute and deliver to the treasurer and receiver-general of the commonwealth a bond in the penal sum of \$2,000, with such sureties as the treasurer and receiver-general shall approve, with a condition that the licensee will faithfully comply with all the requirements of this section, and will file with the treasurer and receiver-general, in January of each year, a sworn statement of the gross premiums charged for insurance procured or placed, and the gross returned premiums on such insurance canceled under such license during the year ending on the 31st day of December next preceding, and at the time of filing such statement will pay into the treasury of the commonwealth a sum equal to 4% of such gross premiums, less such returned premiums so reported. [’87 ch. 214 § 83]

**Excise tax upon life insurance, reciprocal taxes.** § 31 Every life insurance company, corporation, association, or partnership, in-

corporated or associated by authority of any other state of the United States, by the laws of which state a tax is imposed upon the premium receipts of life insurance companies chartered by this commonwealth, and doing business in such state, or upon their agents, shall annually, so long as such laws continue in force, pay a tax or excise upon all premiums charged or received upon contracts made in this commonwealth, at a rate equal to the highest rate imposed during the year upon life insurance companies chartered by this commonwealth or upon their agents doing business in such other state.

**Alien insurance companies.** § 32 Every fire, marine, fire and marine, and other insurance company, corporation, association, or partnership, including associations formed upon the plan known as Lloyds, incorporated or associated under the laws of any government or state other than one of the United States, shall, as hereinafter provided, annually pay a tax of 4% upon all premiums charged or received on contracts made in this commonwealth for insurance, or received or collected by agents in this commonwealth: provided, that whenever it is made to appear to the satisfaction of the tax commissioner, that any such company, corporation, association, or partnership, has, during the whole term for which the tax is to be assessed, kept deposited with the insurance or other departments of any state of the United States, or in the hands of trustees, resident in and citizens of such states, for the general benefit and security of all policy-holders residing in the United States, securities approved by the insurance commissioner, of the value of \$200,000, which have been at all times available for the payment of losses in this commonwealth, the tax upon the premiums of such company, under this section, shall be assessed at the rate of 2%. The certificate of the insurance commissioner may be received by the tax commissioner as sufficient evidence that such securities have been so deposited.

**Deduction for return premiums, reinsurance, etc.** § 33 In determining the amount of tax due under the four preceding sections there shall be deducted in each case, from the full amount

of premiums and assessments, unused balances on notes taken for premiums on open policies, all sums paid for return premiums on canceled policies, and all sums actually paid to other insurance companies incorporated under the laws of the commonwealth, or to the agents of foreign companies, for reinsurance on risks, for which a tax on the premium would be due had no reinsurance been effected: provided, that nothing in this section shall be so construed as to allow dividends in scrip or otherwise in stock, mutual, or mixed companies to be considered return premiums: and provided, further, that whenever any company negotiating insurance effects a reinsurance of any part thereof otherwise than by their licensed resident agents, no deduction of the sums paid for such reinsurance shall be made under this section. [*As amended by '88 ch. 154*]

**Returns to tax commissioner. Agents of foreign companies.** § 34 Every company, which, by the provisions of § 29, is required to pay a tax, shall, between the first and 15th days of November in each year, cause to be made to the tax commissioner a return, signed and sworn to by its secretary or other officer cognizant of the facts, which shall set forth the amount insured by said company, and the premiums received and assessments collected during the year ending with the 31st day of October then next preceding. Every company, corporation, association, or partnership, including associations formed upon the plan known as Lloyds, which is incorporated or associated by authority of any government other than this commonwealth, doing or authorized to do insurance business in the commonwealth, shall, between the first and 15th days of November in each year, make to the tax commissioner, in such form as he shall prescribe, a return, signed and sworn to by its secretary, manager or other officer cognizant of the facts of the amount insured by it upon property or interests in this commonwealth, and the premiums and assessments upon such insurance charged or received by it or its agents during the year ending with the 31st day of October then next preceding. Such returns shall contain a statement of the whole amount of premiums charged or received by or in

behalf of said company, corporation, association, or partnership, either in cash or in notes absolutely payable, and the amount claimed as a deduction therefrom, under any of the provisions of this chapter specifying the amount so claimed, and also the classes of deductions and amount of each class. Every agent of a foreign insurance company, before transacting any business in this commonwealth, shall file with the treasurer of the commonwealth a bond with two sureties approved by the insurance commissioner in the penal sum of \$500, conditioned that such agent shall, on or before the 15th day of November in each year, make return to the tax commissioner of all business transacted by him as such agent during the year ending with the 31st day of October then next preceding, in such form as the tax commissioner may prescribe; and also that all the books, papers and accounts of his agency shall be open to the inspection of the tax commissioner at any time whenever he may deem it proper to verify the statement of transactions aforesaid. If any such agent shall refuse to submit the books, papers and accounts of his agency to such inspection, he shall be liable to a penalty of not less than \$50 nor more than \$500, which may be recovered in a suit upon said bond, and the tax commissioner shall report such refusal to the insurance commissioner who shall thereupon cancel his certificate of authority to such agent, and the certificate so canceled shall not be renewed within one year thereafter; but only such agents of life or accident insurance companies are required to give bond as are not accountable to any other agent in the commonwealth for premiums received. [*As amended by '87 ch. 283*]

**Returns of insurance agents.** Every agent of a foreign insurance company shall, on or before the 15th day of November in each year, make return to the tax commissioner of all business transacted by him as such agent during the year ending with the 31st day of October then next preceding, in such form as the tax commissioner may prescribe; and all books, papers and accounts of his agency shall be open to the inspection of the tax commissioner at any time whenever he may deem it proper to verify the statements and transactions aforesaid. If such agent neglects or refuses to make such return, or refuses to submit the books, papers and accounts of his agency to such inspection, the tax commissioner shall report such neglect or refusal to the insurance commissioner, who shall there-



upon cancel the certificate of authority to such agent and make publication thereof, in such manner as the commissioner shall deem necessary, and the certificate so canceled shall not be renewed within one year thereafter; but only such agents shall be subject to this provision as are not accountable to any other agent in the commonwealth for premiums received. [*'94 ch. 522 § 92 ¶ 2 as amended by '97 ch. 63 § 1*]

**Insurance tax, assessment.** § 35 The tax commissioner shall, thereupon, upon such statements, and on such other evidence as he may obtain, proceed to assess upon such companies, corporations, associations, and partnerships, including associations formed upon the plan known as Lloyds, and their agents, the taxes prescribed by the provisions of § 29 to 32, inclusive, and shall forthwith, upon making such assessment, forward written or printed notices to such companies, corporations, associations, and partnerships, or their agents in the commonwealth, stating the amounts so determined by him to be payable by each company, corporation, association, partnership, or agent. Such taxes shall be paid to the treasurer of the commonwealth on the 10th day of December next succeeding the time fixed in the preceding section for making the statement therein required.

The tax commissioner shall, on or before such 10th day of December, deliver to the treasurer of the commonwealth a certificate setting forth the names of every such company, corporation, association, partnership, and agent, upon whom such tax has then been assessed; and shall, in like manner, make certificate of such further assessments as may be made after that date. All such taxes, whether assessed before or after the 10th day of December, shall bear interest at the rate of 12% per annum from that date until they are paid.

**Penalties.** § 36 Every company, corporation, association, partnership, and agent, failing to make any return required by the provisions of § 34, shall forfeit \$25 for such default; and continuing in such failure for the space of 10 days after a written or printed notice thereof, authorized by the tax commissioner, has been deposited in the postoffice, postage paid, and addressed to such company, corporation, association, partnership, or agent, shall be subject to a farther penalty of \$500; and, in addition, the company, corporation, association, or agent, so failing, shall

be liable, upon information by the attorney-general, at the relation of the tax commissioner, to injunction restraining it or him from transacting the business of such company, corporation, association, or partnership in this commonwealth, until such return is made.

If any such return contains statements which are false, and are known, or by the exercise of reasonable care might have been known, to the agent or officers making it, to be false, such agent, company, corporation, or association shall be liable for the amount of tax thereby lost to the commonwealth, and, in addition, to a penalty of not less than \$500 nor more than \$5000.

Such penalties may be recovered by an action of tort, brought at the instance of the treasurer against the company, corporation, association, partnership, or agent in default: provided, that no such company, corporation, association, partnership, or agent shall be liable to the money penalties imposed by this section, if it is made to appear that the return was duly made and deposited by said agent in the postoffice, postage paid, and properly directed to the tax commissioner, and that there was no neglect on the part of such agent.

*Liability for taxes.* § 37 Every insurance company is incorporated by authority of the commonwealth, and every such company, corporation, association, or partnership, incorporated or associated by authority of any other state or government, shall be liable for the full amount of all taxes so assessed upon the premiums or assessments received by such company, corporation, association, or partnership, or by its agents; which, with interest at the rate of 12% per annum, may be recovered in an action of contract brought in the name of the commonwealth. Such corporation, company, association, or partnership, shall be further liable, upon information by the attorney-general at the relation of the treasurer of the commonwealth, to injunction restraining said company, corporation, association, or partnership, and the agents thereof, from the further prosecution of its business, until all taxes due as aforesaid, with costs and interests, are fully paid. [*As amended by '87 ch. 283*]

**Accident, fidelity and guaranty insurance.** § 1 Every corporation which is incorporated by the authority of any other state of the United States, or of any foreign country, which is subject to the provisions of ch. 214 of the acts of the year 1887 and amendments thereto, engaged in the business of insuring against accident to the person, acting as surety upon bonds, guaranteeing the fidelity of employees, and insuring employers against liability for accidents to employees, shall, as hereinafter provided, annually pay a tax or excise upon all premiums charged or received on contracts made in this commonwealth for such insurance or guaranty, or received or collected by agents in this commonwealth, at the rate of 2%.

§ 2 Every corporation which by the provisions of this act is required to pay a tax shall be subject so far as applicable thereto to the provisions of § 33 to 37, both inclusive, of ch. 13 of the public statutes as amended by ch. 283 of the acts of the year 1887 and by ch. 154 of the acts of the year 1888. ['90 ch. 197 as amended by '92 ch. 129]

**Shares of domestic corporations. Returns.** § 38 Every corporation chartered by the commonwealth, or organized under the general laws, for purposes of business or profit, having a capital stock divided into shares, excepting banks whose shares are otherwise taxable under this chapter, and except those specified in § 43 and 46, shall annually, between the first and the 10th day of May, return to the tax commissioner, under the oath of its treasurer, a complete list of its shareholders, with their places of residence, the number of shares belonging to each on the first day of May, the amount of the capital stock of the corporation, its place of business, the par value and market value of the shares on said first day of May. Such return shall, in the case of stock held as collateral security, state not only the name of the person holding the same, but also the name of the pledger and his residence. The returns shall also contain a statement in detail of the works, structures, real estate, and machinery owned by said corporation and subject to local taxation within the commonwealth, and of the location and value thereof. Railroad and telegraph companies shall return the whole length of their lines, and the length of so much of their lines as is without the commonwealth; other corporations required to make a return under this section shall also return the amount, value, and location of all works, structures, real estate, and machinery owned by them and subject to local taxation without the commonwealth: provided, that nothing herein contained shall exempt any corporation from making all returns required by its charter.

*Valuation of shares. Real estate.* § 39 The tax commissioner shall ascertain, from the returns or otherwise, the true market value of the shares of each corporation included in the provisions of the preceding section, and shall estimate therefrom the fair cash valuation of all of said shares constituting its capital stock on the first day of May next preceding, which shall be taken as the true value of its corporate franchise for the purposes of this chapter. He shall also ascertain and determine the value and amount of all real estate and machinery owned by each corporation, and subject to local taxation, and of the deductions provided in the following section; and for this purpose he may take the amount or value at which such real estate and machinery are assessed at the place where the same are located as the true amount or value; but such local assessment shall not be conclusive of the true amount or value thereof.

*Tax on corporate franchise.* § 40 Every corporation embraced in the provisions of § 38 shall annually pay a tax upon its corporate franchise at a valuation thereof equal to the aggregate value of the shares in its capital stock, as determined in the preceding section, after making the deductions provided for in this section, at a rate determined by an apportionment of the whole amount of money to be raised by taxation upon property in the commonwealth during the same current year, as returned by the assessors of the several cities and towns under § 86 of ch. 11, upon the aggregate valuation of all the cities and towns for the preceding year, as returned under § 54 and § 55 of said chapter: provided, that in case the return from any city or town is not received prior to the 20th day of August, the amount raised by taxation in said city or town the preceding year, as certified to the secretary of the commonwealth, may be adopted for the purpose of this determination; and provided, further, that the amount of tax assessed upon polls the preceding year, as certified to the secretary, may be taken as the amount of poll-tax to be deducted from the whole amount to be raised by taxation, for the purpose of ascertaining the amount to be raised by taxation upon property. From the valuation, ascertained and determined as afore-

said, there shall be deducted,—First, in case of railroad and telegraph companies, whose lines extend beyond the limits of the commonwealth, such portion of the whole valuation of their capital stock, ascertained as aforesaid, as is proportional to the length of that part of their line lying without the commonwealth; and also an amount equal to the value, as determined by the tax commissioner, of their real estate and machinery located and subject to local taxation within the commonwealth: Second, in case of other corporations, included in § 38 of this chapter, an amount equal to the value, as determined by the tax commissioner, of their real estate and machinery, subject to local taxation, wherever situated: provided, that, whenever the charter of a corporation provides a different method of ascertaining the valuation of its corporate franchise for the purposes of this chapter, the same shall be ascertained in the method provided in such charter.

**Title guaranty companies.** § 40 to apply to title guaranty companies the same as to domestic fire insurance companies. ['84 ch. 180 § 5]

**Telephone companies.** Every corporation chartered by this commonwealth, or organized under the general laws for the purpose of establishing, owning, using, or licensing others to use electric speaking telephones or other apparatus and appliances pertaining to the transaction of telephonic business partly within and partly without this commonwealth, and every such corporation organized or incorporated elsewhere and having any part of its lines or telephones in use in this commonwealth, shall be subject to taxation under the provisions of § 38, § 39, and § 40 of ch. 13 of the public statutes: provided, however, that the apportionment provided by said § 40 shall be made upon the number of telephones in use by it, or under its authority or with its permission, or under any letters patent owned or controlled by it within and without this commonwealth, respectively; and the returns to be made under said ch. 13 shall state the facts required for such apportionment in such form as the tax commissioner may require and determine. ['85 ch. 238 § 1]

Every corporation chartered by this commonwealth, or organized under the general laws for the purpose of manufacturing, owning, selling, using, or licensing others to use electric speaking telephones and other apparatus and appliances pertaining to the transaction of telephonic business, either wholly or partly within this commonwealth, shall be subject to the provisions of § 38 to § 41 inclusive of ch. 13 of the public statutes, except so far as the same relate to telegraph and railroad companies. And every such corporation may between the first and 10th days of May in each year make a return to the tax commissioner specifying therein the amount and their market value of all stocks in other corporations held by it upon which a tax has been assessed and actually paid either in this or other states

for the 12 months next preceding the date of said return, which return shall be signed by its president, treasurer and clerk and by them sworn to, and it shall be the duty of the tax commissioner or his deputy to examine the books, accounts and papers of such corporation so far as may be necessary for the verification of said return; and said amount so returned and verified shall be deducted from the valuation of the corporate franchise of such corporation as determined in the manner provided in § 39 of said ch. 13, in addition to the deductions provided for in § 40 of said chapter so far as the same are applicable to such corporation. ['86 ch. 270 § 1]

**Street railway companies.** The provisions of § 38 to 41, and § 53 to 66, inclusive, of ch. 13 of the public statutes, which are applicable to railroad companies whose lines are located partly within and partly without the limits of this commonwealth, shall apply in like manner to street railway companies, whether chartered or organized in this commonwealth or elsewhere. ['98 ch. 417 § 1]

**Valuation of real estate.** § 41 In case the value of the real estate and machinery located within the commonwealth, of any corporation, as determined by the commissioner, is less than the value as determined by the assessors of the city or town where such real estate or machinery is taxable, said commissioner shall notify the corporation of such determination, and if it does not, within one month from the date of such notice, make application to said assessors for an abatement, and does not, in case of the refusal of said assessors to grant an abatement, forthwith prosecute an appeal in accordance with the provisions of § 71 of ch. 11, and give notice thereof to the tax commissioner, such determination shall be conclusive upon said corporation. The tax commissioner may appear before the county commissioners and be heard upon any appeal made to them, and the decision of the county commissioners shall be conclusive as to the value.

Appeals from assessors to superior court. [See '90 ch. 127]

**Foreign telegraph companies.** § 42 Every corporation or association chartered or organized elsewhere, which owns, or controls and uses, under lease or otherwise, a line of telegraph within this commonwealth, shall make all the returns prescribed in § 38 to be made by telegraph companies within the commonwealth, excepting the list of its shareholders; and shall annually pay a tax at the same rate, and to be ascertained and determined in the same manner as is provided in § 40; and all telegraph lines

within the commonwealth controlled and used by such corporation or association, shall, for the purposes of this chapter, be taken and considered as part of its own lines.

**Mining companies.** § 43 Every corporation chartered by this commonwealth, or organized under the general laws, for the purpose of engaging without the limits of this commonwealth, in the business of coal-mining or other mining, quarrying or extracting carbonaceous oils from the earth, or for the purpose of purchasing, selling, or holding mines or lands without the commonwealth, and every such company or association, incorporated elsewhere, and having an office or place of business within the commonwealth for the direction of its affairs or the transfer of its shares, shall, semiannually, between the first and the 10th day of June and December, make a return, under the oath of its treasurer or president, to the tax commissioner, of the whole amount of its capital stock, as fixed by the corporation, on the first days respectively of May and November preceding, and shall pay to the treasurer of the commonwealth a tax of one twentieth of 1% upon said capital stock at the par thereof.

All officers of such corporation, and other persons assuming to represent it within the commonwealth by having charge of its affairs or of books for the transfer of its shares, shall severally be personally liable for the amount of the tax imposed upon it under this section if the same is not paid by the corporation. The capital stock of any corporation established in this commonwealth, subject to taxation under this section, shall not be reduced except upon application to the supreme judicial court. In case of such application, written notice shall be given to the tax commissioner and to the attorney-general 10 days at least before the hearing.

§ 43 is modified by '82 ch. 106 and '86, 236.

**Foreign mining, quarrying and oil companies.** § 1 Every corporation, company or association chartered or organized by authority other than that of this commonwealth for the purpose of engaging without the limits of this commonwealth in the business of coal mining or other mining, of quarrying, or extracting carbonaceous oils from the earth, or of purchasing or holding mines or lands without the said limits, which shall for any period exceeding 10 days establish, set up, have,

or keep principal or branch subscription, treasury, or transfer office, or agency within this commonwealth, shall within 30 days after the setting up or establishment of such office or agency make and return to the secretary of the commonwealth a certificate in manner and form to be approved by the commissioner of corporations, and signed and sworn to by its president, treasurer and a majority of its board of directors or trustees, setting forth the name of such corporation, company, or association, the name of the state, territory, or foreign country under whose laws it is organized and whether specially chartered, or organized under the general laws thereof, its location in such state, territory or country, the location of its mines, quarries, oil wells, or lands, and the amount of its capital stock authorized by its charter or organization and the amount thereof actually called in by assessment or instalment, the place or places within this commonwealth in which its office or offices are established or set up, and the names and residences of all those of its officers, directors, trustees and agents who are citizens or residents of this commonwealth. Such corporation, company or association shall also in said return designate, by his proper name and address, one of said officers or agents, a citizen or resident of this commonwealth, as the attorney upon whom service may be made of all process against such corporation, company or association in this commonwealth.

§ 2 Within 30 days after any meeting of the stockholders, members, directors or trustees of any such corporation, company or association at which the capital stock is increased or reduced, or any changes made in its board of officers, agents, directors or trustees, a like certificate shall be filed setting forth the facts as then established.

§ 3 The fee for filing and recording the certificate required by § 1 and 2 of this act shall be \$5 for each certificate, to be paid to the secretary of the commonwealth, and by him paid into the treasury of the commonwealth.

§ 4 Each such corporation, company or association shall semiannually between the first and 10th days of June and December in each year pay to the treasurer of the commonwealth a tax of  $\frac{1}{4}$  of 1% upon the par value of its capital stock as paid in in cash or otherwise or called in by assessment or instalment by the corporation, company or association on the first days of May and November respectively then next preceding: provided, however, that said semiannual tax shall not for any one of such corporations, companies or associations exceed the sum of \$300. And this tax when paid shall be in lieu of that required by § 43 of ch. 13 of the public statutes. [As amended by '83 ch. 74]

§ 5 All officers, directors, trustees and agents of such corporations, companies, or associations, citizens of or resident or commorant within this commonwealth, shall be jointly and severally liable for all taxes due under said § 43 of ch. 13 of the public statutes, and for fees required to be paid under provisions of this act. ['82 ch. 106]

Every corporation mentioned in section one of ch. 106 of the acts of the year 1882, upon filing the copy and statement required by the provisions of ch. 330 of the acts of the year 1884, shall be relieved from making the returns and certificates required by the first and second sections of said ch. 106. ['86 ch. 230 § 1]



**Mining companies. Annual report.** § 44 Every corporation mentioned in the preceding section, except those not incorporated by this commonwealth, shall annually, on or before the 10th day of June, submit to the tax commissioner a report of its business for the year ending on the first day of March next preceding, which report shall be signed and sworn to by its treasurer and a majority of its directors, and shall contain a full and accurate statement of its property and of all receipts and expenditures during said year in or on account of its business, and of all products thereof. Said report shall contain such details as shall be prescribed by the tax commissioner, who shall furnish to each corporation blank forms therefor.

**Tax on net profits.** § 45 The tax commissioner shall, from such report or otherwise, ascertain and determine the net profits or gains of each corporation, from which a report is required under the preceding section, from its property and business during the year aforesaid, and shall assess a tax of 4% upon the amount thereof.

**Companies to construct railroads in foreign countries.** § 46 Every corporation formed under the general laws of the commonwealth to construct railroads, or railroads and telegraphs, in foreign countries, shall, for purposes of taxation, be subject to the provisions of § 43, except that the rate of taxation shall aggregate  $\frac{1}{20}$  of 1% per annum upon the par value of the capital stock of every such corporation, divided into two semiannual payments as provided in said § 43; but no other provisions of this chapter relating to the assessment of taxes upon corporations or the shareholders therein shall apply thereto. Every such corporation shall annually, between the first and 10th days of May, return to the tax commissioner, under the oath of its treasurer, a complete list of its shareholders, with their places of residence, the number of shares belonging to each on the first day of May, the amount of its capital stock, and the par value and market value of the shares on said first day of May. *[As amended by '95 ch. 300]*

**Guaranty capital and permanent funds of certain mutual insurance companies.** § 50 Mutual fire insurance companies with a guaranty capital, and mutual marine, and mutual fire and marine, insurance companies with a permanent fund, shall, if organized under the general laws, so far as the assessment and payment of a tax upon such guaranty capital or permanent fund is concerned, be subject to the provisions of this chapter imposing a tax upon the franchises of corporations organized for purposes of business or profit having a capital stock divided into shares, and shall make all such returns and payments, and be subject to like penalties, liabilities, and forfeitures, and have the same rights of appeal, required of, imposed upon, and given to such corporations in this chapter.

**Massachusetts hospital life insurance company.** § 51 The Massachusetts hospital life insurance company shall, on or before the second Mondays of May and November in each year, make a return, signed and sworn to by a majority of its board of directors, of the full amount of all moneys and property, in detail, in its possession or charge as deposits, trust funds, or for purposes of investment, and shall pay upon all the same, except upon deposits invested in loans secured by mortgages of taxable real estate, the same rate of tax imposed upon savings banks or institutions for savings on account of deposits. If said corporation neglects to make the return herein required it shall forfeit \$50 for each day of such neglect, and if it wilfully makes false statements in any such return it shall be liable to pay a fine of not less than \$500 nor more than \$5000.

**Trust companies.** § 52 All trust companies, safe deposit and trust companies, banking and trust companies, loan and trust companies, and other moneyed corporations, incorporated in this commonwealth subject to the provisions of any act consolidated in this chapter, shall be subject to the provisions of this chapter so far as the same are applicable thereto. Property held in trust by, and moneys deposited on interest or for investment with, said corporations, shall, for purposes of taxation, and of credits to cities and towns, be governed by the provisions of their re-

spective charters; and said corporations shall make all such returns and payments, submit to such examinations, and be subject to such penalties and forfeitures, as are required or imposed by law, or by their respective charters.

**Safe deposit and trust companies incorporated after May 28, 1888.**  
**Deposits.** Deposits with such corporation, which can be withdrawn on demand or upon not exceeding 10 days' notice, shall for the purposes of taxation be deemed money in possession of the persons to whom the same is payable. ['88 ch. 413 § 20]

**Tax on property held in trust.** Such corporation shall also, annually, between the first and 10th days of May, return to the tax commissioner a true statement, attested by the oath of some officer of the corporation, of all personal property held upon any trust on the first day of May which would be taxable if held by an individual trustee residing in this commonwealth, and the name of every city or town in this commonwealth where any beneficiary resided on said day, and the aggregate amount of such property then held for all beneficiaries resident in each of such cities or towns and also the aggregate amount held for beneficiaries not resident in this commonwealth, under the pains and penalties provided in § 54 of ch. 13 of the public statutes and acts in amendment thereof, for corporations failing to make returns provided by said act. Such corporation shall annually pay to the treasurer of the commonwealth a sum to be ascertained by assessment by the tax commissioner upon an amount equal to the total value of such property, at the rate ascertained and determined by him, under § 40 of ch. 13 of the public statutes and acts in amendment thereof. ['88 ch. 413 § 21]

**Tax on deposits.** Such corporation shall also, annually, between the first and 10th days of May, return to the tax commissioner a true statement, verified by the oath of some officer of the corporation, of the amount of all sums deposited with it on interest or for investment, other than those specified in the 20th and 21st sections of this act, together with the name of every city and town in this commonwealth where any beneficial owner resided on said first day of May, and the aggregate amount of such deposits then held for the benefit of persons residing in each of such cities and towns, under like penalty. Such corporation shall annually pay to the treasurer of the commonwealth a sum to be ascertained by assessment by the tax commissioner upon an amount equal to the total value of such deposits at three fourths of the rate ascertained and determined by him under § 40 of ch. 13 of the public statutes and acts in amendment thereof. ['88 ch. 431 § 22]

**Exemption. Distribution. Collection.** No taxes shall be assessed in any city or town for state, county or town purposes, upon or in respect to any such property held in trust or any such amounts deposited on interest or for investment, but such proportion of the sum so paid by such corporation as corresponds to the amount of such property held for beneficiaries or payable to persons resident in this commonwealth shall be credited and paid to the several cities and towns where it appears from the returns or other evidence that such beneficiaries resided on the first

day of May next preceding, according to the aggregate amount so held for beneficiaries and persons residing in such cities and towns respectively; and in regard to such sums so to be assessed and paid as aforesaid such corporation shall be subject to § 52, 53, 57, 58 and 59 of ch. 13 of the public statutes and acts in amendment or lieu thereof, so far as the same are applicable thereto. ['88 ch. 413 § 23]

**Tax on shares.** Every such corporation shall be subject to the provisions of ch. 13 of the public statutes as to the taxation of its capital stock, and to any acts in amendment thereof and in addition thereto. ['88 ch. 413 § 24]

**Notice of tax.** § 53 The tax commissioner shall, as soon as may be after the first Monday in August, in each year, notify the treasurer of each corporation, company, copartnership, or association liable thereto, of the amount of its tax under § 25, 40, 42, 45, 47, 50 and 52, to become due and payable to the treasurer of the commonwealth within 30 days from the date of such notice: provided, that it shall not be due and payable earlier than the first day of November. Such notice shall also state that within 10 days after the date thereof the said corporation, company, copartnership, or association may apply for a correction of said tax, and be heard thereon before the board of appeal hereinafter established.

**Penalties.** § 54 Any corporation, company, copartnership, or association taxable under the provisions of § 40, 42, 43, 45, 47, 50, and 52, neglecting to make the returns required by this chapter, or refusing or neglecting, when required thereto, to submit to the examinations provided for therein, shall forfeit 2% upon the par value of its capital stock; all which penalties may be recovered by an action of tort, brought in the name of the commonwealth, either in the county of Suffolk or in the county where the corporation is located. If any corporation, company, copartnership, or association fails to pay the taxes required to be paid to the treasurer of the commonwealth under the provisions of said § 40, 42, 43, 45, 47, 50, 51 and 52, he may forthwith commence an action of contract in his own name, as treasurer, for the recovery of the same, with interest at the rate of 12% per annum until the same are paid. All penalties under this section, and under § 7, 47, 50, and 52, may also be enforced, and all taxes

under said § 40, 42, 43, 45, 47, 50, 51, and 52, may also be collected by information brought in the supreme judicial court at the relation of the treasurer of the commonwealth, and upon such information the court may issue an injunction restraining the further prosecution of the business of the corporation, company, copartnership, or association, until all such taxes due or penalties incurred shall be paid, with interest at the rate aforesaid, and costs. In any proceeding under this section the certificate of the tax commissioner or his deputy shall be competent evidence of all determinations made and notices given by him, and of all values, amounts, and other facts required to be fixed or ascertained by him under this chapter.

**Failure to make returns.** § 55 Any corporation, company, copartnership, or association which fails to make a return required by the provisions of § 38, 42, 43, 44, 46, 48, 50, and 52, shall be liable, on application of the tax commissioner therefor to any of the justices of the supreme judicial court, to injunction restraining the same and the agents thereof from the further prosecution of its business, until the returns required by law shall be made.

**Lessee of property liable.** § 56 The lessee of the works, structures, real estate, or machinery of any corporation, company, copartnership, or association taxed under § 40, 42, 43, 45, 47, 50, 51, and 52, shall be liable as well as the lessor to pay the amount of said tax, and upon such payment may, in the absence of any agreement to the contrary, retain the same out of the rent of the property, or recover the same in an action against the lessor.

**Exemption of shareholders. Distribution to cities and towns.** § 57 No taxes shall be assessed in any city or town for state, county, or town purposes, upon the shares in the capital stock of corporations, companies, copartnerships, or associations, taxable under § 40, 42, 45, 47, 50, and 52, for any year for which they pay to the treasurer the tax on their corporate franchises or property under said sections; but such proportion of the tax collected of each corporation, company, copartnership, or as-

sociation under § 40, 47, 50, and 52, as corresponds to the proportion of its stock owned by persons residing in this commonwealth, shall be credited and paid to the several cities and towns where it appears from the returns or other evidence that such shareholders resided on the first day of May next preceding, according to the number of shares so held in such cities and towns respectively: provided, that in case stock is held by copartners, guardians, executors, administrators, or trustees, the proportion of tax corresponding to the amount of stock so held shall be credited and paid to the towns where the stock would have been taxed, under the provisions of the fourth, fifth, sixth, and seventh clauses of § 20 and of § 24 of ch. 11; and provided, further, that when a town owns stock in any corporation taxed upon its corporate franchise under this chapter, a return to said town shall be made in like manner as is provided in the case of stock held by individuals residing in said town.

**Distribution to cities and towns.** § 58 Said commissioner shall ascertain and determine the amount due to each city and town under the preceding section, subject to appeal to the board of appeal constituted as hereinafter provided, and shall notify the treasurer of each city and town thereof, and certify the amount, as finally determined, to the treasurer of the commonwealth, who shall thereupon pay over the same.

§ 57, 58 repealed and superseded so far as relates to street railways by '98 ch. 578.

**Inspection. Examination.** § 59 Every corporation taxable under the provisions of § 25 and of 38 to 52, inclusive, excepting corporations taxable under § 46, shall, when required, submit its books to the inspection of the tax commissioner, and its treasurer and directors to examination on oath in regard to all matters affecting the determinations which are to be made by said commissioner.

**Tax on corporate franchise not to affect other taxes.** § 60 The tax on corporate franchises herein imposed upon any corporation shall not affect or prevent the imposition and collection of any other tax now authorized, or that may hereafter be au-

thorized, upon any especial privilege, franchise, or business, enjoyed or exercised by such corporation.

**Appeals.** § 61 Any party aggrieved by the decision of the tax commissioner arising under the provisions of § 25 to 58, inclusive, excepting corporations named in § 46, may apply to the board of appeal, constituted under the provisions of the following section for a correction of the same.

**Board of appeal.** § 62 The treasurer and the auditor of the commonwealth, together with one member of the council to be named by the governor, shall constitute a board of appeal, to which board any party aggrieved by a decision of the tax commissioner upon any matter arising under this chapter, from his decision upon which an appeal is given, may apply within 10 days after notice of such decision for a correction of the same. Upon such appeal said board shall, as soon as may be, give a hearing to such party, and shall thereupon decide the matter in question, and notify the tax commissioner and the party appealing; and such decision shall be final and conclusive as to the rights of the parties affected, although payments may have been made as required by the decision of the tax commissioner appealed from. Any overpayment of tax, determined by the decision of said board of appeal, shall be reimbursed from the treasury of the commonwealth.

**Warrants for collection. Relief.** § 63 When any tax or excise of any kind remains due to or is claimed by the commonwealth from a corporation, company, copartnership, or association, whether existing by authority of this commonwealth or otherwise, except a municipal corporation, for the term of 10 days after notice given through the mail by the treasurer of the commonwealth to its treasurer or other financial agent that such tax or excise is due and unpaid, the treasurer of the commonwealth may issue his warrant, directed to the sheriff, or his deputies, of the county in which such corporation, company, copartnership, or association has its place of business, commanding the collection of such tax or excise. Such warrant may be substantially in the form

of those now issued by the assessors of towns, except as is hereinafter provided; and the officer to whom the same is delivered for service shall proceed in the manner in which collectors and others serving such warrants are authorized to proceed. Such warrants shall not run against the body of any person, nor shall any property of such delinquent corporation, company, copartnership, or association be exempt from seizure and sale thereon. The officer having such warrant shall collect such tax or excise, and interest upon the same at the rate of 12% per annum from the time when such tax or excise became due, and shall be entitled to collect and receive for his fees the sum which an officer would be entitled by law to receive upon an execution for a like amount. He shall also collect \$1 for the warrant, which shall be paid over to the treasurer of the commonwealth.

§ 64 Any corporation, company, copartnership, or association feeling aggrieved by the exaction of said tax or excise or of any portion thereof, may, within six months from the date of payment of the same, whether such payment be after or before the issue of the warrant provided for in the preceding section, file a petition to the supreme judicial court, in the nature of a petition of right, setting forth the amount of the tax or excise, and costs thereon so paid, the general legal grounds, if any, upon which it is claimed such tax or excise should not have been exacted, and specifically the grounds in fact, if any, upon which it is so claimed. Said petition shall be entered and heard in the county of Suffolk. Service of the same shall be made upon the treasurer of the commonwealth, and the attorney-general, in the same manner as a writ of original summons is now served upon an individual. The proceedings upon such petition shall conform, as nearly as may be, to proceedings in equity, and an abatement shall be granted therein of such portion only of the tax or excise as appears to have been assessed without authority of law.

§ 65 If the court, upon a hearing or trial, adjudges that said tax or excise, and the costs thereon, have been illegally exacted, a copy of the judgment or decree shall be transmitted by the



clerk of the court to the governor; and the governor shall thereupon draw his warrant upon the treasurer of the commonwealth for the amount adjudged to have been unjustly exacted, with interest, and costs to be taxed by the clerk of the court, as in equity causes; and the treasurer shall pay the same, without any further act or resolve making appropriation therefor. And so much thereof as has been paid out of the treasury of the commonwealth to any city or town may be deducted and set off from and against any sum afterwards due and payable to such city or town.

§ 66 The manner of collection provided for in § 63 shall be in addition to those otherwise provided. The remedy by petition, provided in § 64, shall take the place of any and all actions which might otherwise be maintained on account of the assessment and collection of such tax or excise, and shall be the exclusive remedy. [See '98, *ch. 417*]

§ 67 When it is made to appear to the satisfaction of the tax commissioner that any corporation assessed under § 43 is doing no business, and has taken actual measures, in good faith, to procure its legal dissolution, or the reduction of its capital stock, upon a sworn statement by its treasurer or other officer setting forth the facts and that there is no money in its treasury, and if it is made to appear that it has not sufficient assets to satisfy the claim of the commonwealth for such taxes with the costs of collection, said commissioner may in his discretion accept for the commonwealth, in satisfaction and composition of all such assessments due and the interest thereon, a sum not less than 10% of the amount of the assessments due; and upon his certifying to the treasurer of the commonwealth the said composition and the amount to be paid thereunder, and upon payment thereof, the officers and stockholders shall be discharged from liability to the commonwealth for the amount of such assessments.

**Street railways. Definitions.** § 1 In the construction of this act, unless such meaning would be repugnant to the context, "street railways" and "railways" shall mean all railways, in-

cluding tracks, poles, wires and other appliances and equipments connected therewith, which are constructed on, in, under or above the public highways or streets, and operated by any motive power other than steam, except such as are at the present time owned or operated by or leased to the Boston elevated railway company. "Street railway companies" and "companies" shall mean all corporations, persons, partnerships or associations, constructing, maintaining or operating street railways, but shall not include said Boston elevated railway company, or companies whose railways are at the present time leased or operated by said company. "Location" shall mean the grant to a street railway company by vote or order of a board of aldermen of a city or selectmen of a town, when duly accepted by such company, of the right to construct, maintain and operate a street railway in a public highway or street in such city or town. An "original location" of a company in any city or town shall mean the first location granted to it in such city or town.

*Returns.* § 2 In the case of street railway companies the return to the tax commissioner under the provisions of § 38 of ch. 13 of the public statutes shall also contain a statement under the oath of the treasurer of every such company, giving the length of the track operated by it in each city and town in the commonwealth on the 30th day of September next preceding the date of the return, which length shall be determined by measuring as single track the total length of all track operated by such company, including sidings and turn-outs, whether owned or leased by it, or over which it has trackage rights only; and said return shall also contain a statement under the oath of the treasurer of every such company showing the amount of the capital stock of the company and of the dividends paid thereon during the year ending on the 30th day of September last preceding, and during each and every year from the organization of the company.

*Tax on dividends.* § 3 Whenever an operating street railway company has paid during the year ending on the 30th day of September next preceding the date of the return referred to in

§ 2 of this act, dividends exceeding in the aggregate 8% upon its capital stock, said company shall, for every such year, in addition to the tax upon its corporate franchise for which it is liable under the provisions of ch. 13 of the public statutes, pay to the treasurer of the commonwealth a tax equal to the amount of such excess: provided, however, that no company shall be liable to pay such additional tax which has not from the date when it commenced to operate its road paid dividends equivalent in the aggregate to at least 6% per annum upon its capital stock from year to year. Said tax shall be determined and paid in the manner provided in said ch. 13 in relation to taxes upon the corporate franchises of street railways.

*Distribution to cities and towns.* § 4 Prior to the first day of November in each year the tax commissioner shall apportion the amount of the tax for which each street railway company is liable under the provisions of ch. 13 of the public statutes, and under the provisions of § 3 of this act, among the several cities and towns in proportion to the length of tracks operated by such company in said cities and towns, respectively, subject to appeal to the board of appeal constituted by § 61 and 62 of said ch. 13. The tax commissioner shall notify the treasurers of every such city and town of the share of said tax so apportioned to each city and town, and he shall also certify to the treasurer of the commonwealth the shares thus apportioned as finally determined in case of appeal.

§ 5 As soon as practicable after the receipt of said tax, and of the certificate of apportionment thereof by the tax commissioner, the treasurer of the commonwealth shall credit and pay over to the treasurers of the several cities and towns the shares of said tax apportioned to them respectively as aforesaid.

*Returns.* § 6 Every street railway company shall on or before the 15th day of October in each year make and file in the office of the board of assessors of every city and town in which any portion of the railway operated by it is situated, a return signed and sworn to by its president and treasurer, stating the length of track operated by it in public ways in such city or town, and

also the total length of track operated by it in public ways, determined as provided in § 2 of this act, and also the amount of its gross receipts during the year ending on the 30th day of September next preceding, which gross receipts shall include all amounts received by it from the operation of its railway, but shall not include income derived from sale of power, rental of tracks or other sources.

*Gross receipts tax.* § 7 On or before the first day of November in each year, the assessors of every city and town in which any street railways are operated shall assess on each company operating such railways therein, an excise tax of an amount equal to such proportion of the following percentages of the gross receipts of such company as the length of tracks operated by it in public ways of such city or town bears to the total length of tracks operated by it in public ways, to wit:

In case of companies whose annual gross receipts per mile of track operated are \$4000 or less, 1% of the total annual gross receipts; in case of companies whose annual gross receipts per mile of track operated are more than \$4000 and less than \$7000 2% of the total annual gross receipts; in case of companies whose annual gross receipts per mile of track operated are more than \$7000 and less than \$14,000, 2½% of the total annual gross receipts; in case of companies whose annual gross receipts per mile of track operated are more than \$14,000 and less than \$21,000, 2½% of the total annual gross receipts; in case of companies whose annual gross receipts per mile of track operated are more than \$21,000 and less than \$28,000, 2¾% of the total annual gross receipts; and in case of companies whose annual gross receipts per mile of track operated are \$28,000 or more, 3% of the total annual gross receipts. The excise tax provided by this section shall be in addition to the taxes now provided by law. . . .

*Repealing clause.* § 26 Sections 57 and 58 of ch. 13 of the public statutes, so far as said sections relate to the distribution of taxes assessed and collected upon the corporate franchise of street railway companies; § 32 of ch. 113 of the public statutes;

so much of § 27 of said ch. 113 as relates to the removal of snow and ice; § 7, 21, 22, 23, 24, 44 and 45 of said ch. 113; ch. 541 of the acts of the year 1896; and all other acts and parts of acts inconsistent herewith, are hereby repealed; subject to the exception contained in § 28. . .

*Exceptions. When in effect.* § 28 This act shall take effect on the first day of October in the year 1898, except as to § 6 and 7, and, as to those sections, this act shall take effect on the first day of October in the year 1899, but for the term of 25 years from the 10th day of June in the year 1897 this act shall not apply to or affect the Boston elevated railway company or any railways now owned, leased, or operated by it, or the opening, widening or paving, or the altering or changing of any grade, of any street or highway in which it operates such railway, nor shall it apply to snow in such street or highway, and the acts and parts of acts repealed by § 26 hereof shall continue during said term in full force so far as they relate thereto: provided, however, that the taxes now or hereafter imposed by general law consistently with the provisions of § 10 of ch. 500 of the acts of the year 1897 upon the Boston elevated railway company, as therein provided, and the taxes or excises in fact imposed upon the West End street railway company at the date of the passage of said act, except taxes locally assessed upon the real estate and machinery of said corporations consistently with said section, shall be paid and distributed as the compensation tax imposed by said § 10 upon said elevated railway company is paid and distributed; and provided, further, that the return by the Boston elevated railway company to the tax commissioner under the provisions of § 38 of ch. 13 of the public statutes shall also contain a statement under the oath of the treasurer of said company giving the length of the track operated by it in each city and town in the commonwealth on the 30th day of September next preceding the date of the return, which length shall be determined by measuring as single track the total length of all track operated by said company, including sidings and turn-outs, and specifying the length of such track in each city and town which is owned by it, and the length of

such track operated by or leased to it in each city or town which is owned by any other company, with the name of the company and the length of track in each city or town owned by every such company, and provided, further, that, prior to the first day of November in each year, the tax commissioner shall apportion the amount of the tax for which the Boston elevated railway company and any other street railway company whose railways are now owned, leased or operated by it, are liable under the provisions of ch. 13 of the public statutes, among the several cities and towns, in proportion to the length of tracks owned by said Boston elevated railway company and by each of said other street railway companies in said cities and towns respectively, subject to appeal to the board of appeal constituted by § 61 and 62 of said ch. 13. The tax commissioner shall notify the treasurers of every such city and town of the share of said tax so apportioned to each city and town, and he shall also certify to the treasurer of the commonwealth the shares thus apportioned as finally determined in case of appeal. ['98 ch. 578]

**Incorporation tax.** Fees shall be paid for filing and recording the certificates required by this chapter to be filed with the secretary of the commonwealth as follows:

For filing and recording the certificates required by § 21 and 22, including the issuing the certificate of organization by the secretary one twentieth of 1% of the amount of the capital stock as fixed by the agreement of association; but not less in any case than \$5, nor more than \$200.

For filing and recording the certificate required by § 56, one twentieth of 1% of the amount by which the capital is increased; but the amount so to be paid shall not, when added to the amount previously paid for filing and recording certificates under § 21, 22 and 56, exceed in any case \$200.

For filing and recording the certificates required by § 51 and 52, one twentieth of 1 % of the amount of the capital stock of the corporation.

For filing and recording the certificate required by § 54, \$5.

For filing and recording any other certificate required by the provisions of this chapter, \$1.

For official copies of any of the records mentioned in this chapter, the rates now fixed by law for copies of similar records furnished by the secretary of the commonwealth. [*P. S. ch. 107 § 84*]

### PENNSYLVANIA

Real estate is taxed for local but not for state purposes by the local assessors with the exception of property specially exempt and the property of public service corporations essential to the exercise of their franchise.

**Real estate of public service corporations.** A public corporation is one which can not carry out the purposes of the organization without chartered rights from the commonwealth. Railroads, canals and gas companies must have the right of eminent domain in order to perform their functions. Their property, which is indispensable to their chartered rights, is represented by their capital stock, and as such is taxed specially by the legislature, and the law will not subject it to duplicate taxation by mere inference. While the works of a gas company and the lot of ground on which they are located are necessary to enable the company to carry on its business, and therefore not liable to local taxation, a house occupied by a tenant is not a necessary part of the company's works or equipment, and is therefore taxable. [148 *Pa.* 162]

The property of canal and railroad companies, and other quasi public corporations, necessary for the exercise of their several franchises, as depots, toolhouses and water stations, is not taxable for local purposes. [148 *Pa.* 282]

**Railroad real estate taxable in Philadelphia.** The offices, depots, car-houses and other real property of railroad corporations situated in said city, the superstructure of the road and water stations only excepted, are and hereafter shall be subject to taxation by ordinances for city purposes. ['58 *ch.* 411 § 1]

**Railroad real estate taxable in Pittsburg.** All real estate situated in said city, owned or possessed by any railroad company, shall be and is hereby made subject to taxation for city purposes the same as other real estate in said city. ['59 *ch.* 765 § 3]

A street passenger railway company is a "railroad" within the meaning of the act. [104 *Pa.* 522]

**Exemptions.** All churches, meeting-houses, or other regular places of state worship, with the grounds thereto annexed necessary for the occupancy and enjoyment of the same; all burial grounds not used or held for private or corporate profit; all hospitals, universities, colleges, seminaries, academies, associations and institutions of learning, benevolence or charity, with the grounds thereto annexed and necessary for the occupancy and

enjoyment of the same, found, endowed and maintained by public or private charity; and all schoolhouses belonging to any county, borough or school district, with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same; and all courthouses and jails, with the grounds thereto annexed, be and the same are hereby exempted from all and every county, city, borough bounty, road, school and poor tax: provided, that all property, real or personal, other than that which is in actual use and occupation for the purposes aforesaid, and from which any income or revenue is derived, shall be subject to taxation, except where exempted by law for state purposes, and nothing herein contained shall exempt same therefrom. [ '74 ch. 94 § 1 ]

**Laws of 1889 ch. 332**

**Personal property, 4 mill tax on certain.** § 1 Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by authority of the same, that from and after the passage of this act, all personal property of the classes hereinafter enumerated, owned, held or possessed by any person, persons, copartnership or unincorporated association or company, resident, located or liable to taxation within this commonwealth, or by any joint-stock company or association, limited partnership, bank or corporation whatsoever, formed, erected or incorporated by, under or in pursuance of, any law of this commonwealth or of the United States, or of any other state or government, and liable to taxation within this commonwealth, whether such personal property be owned, held or possessed by such person or persons, copartnership, unincorporated association, company, joint-stock company or association, limited partnership, bank or corporation, in his, her, their or its own right, or as active trustee, agent, attorney-in-fact or in any other capacity for the use, benefit or advantage of any other person, persons, copartnership, unincorporated association, company, joint-stock company, or association, limited partnership, bank or corporation, is hereby made taxable annually for state purposes



at the rate of 4 mills on each dollar of the value thereof, and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor to the commonwealth, that is to say:

All mortgages, all moneys owing by solvent debtors, whether by promissory note or penal or single bill, bond or judgment, all articles of agreement and accounts bearing interest; all public loans whatsoever, except those issued by this commonwealth or the United States; all loans issued by or shares of stock in any bank, corporation, association, company or limited partnership, created or formed under the laws of this commonwealth or of the United States or of any other state or government, including car trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness, whether the interest be included in the principal of the obligation or payable by the terms thereof, except shares of stock in any corporation or limited partnership liable to the capital stock tax imposed by the 21st section of this act, or relieved from the payment of tax on capital stock by said section; all moneys loaned or invested in other states, territories, the District of Columbia or foreign countries; all other moneyed capital in the hands of individual citizens of the state: provided, that this section shall not apply to bank notes, or notes, discounted or negotiated by any bank or banking institution, savings institution or trust company: and provided, that the provisions of this act shall not apply to building and loan associations: provided also, that this section shall take effect on the first day of January, A. D. 1892. [*As amended by '91 ch. 200 § 1*]

**Corporate bonds and obligations.** That hereafter it shall be the duty of the treasurer of each private corporation incorporated by or under the laws of this commonwealth, or the laws of any other state or of the United States and doing business in this commonwealth, upon the payment of any interest on any scrip, bond or certificate of indebtedness, issued by said corporation to residents of this commonwealth, and held by them, to assess the tax imposed and provided for state purposes upon the nominal value of each and every said evidence of debt, and to report on oath annually on the first Monday of November to the auditor-general the amount of indebtedness of the corporation owned by residents of this commonwealth, as nearly as the same can be ascertained, and it shall be

his further duty to deduct 3 [4] mills on every dollar of the interest paid as aforesaid and return the same into the state treasury within 15 days after the 31st day of December in each year; and his compensation for his services shall be the same that city and borough treasurers receive for similar services; and for every failure to assess and pay said tax and make report as aforesaid, the auditor-general shall add 10% as a penalty to the amount of the tax in payment of said tax by a corporation; the bonds, certificates, or other evidences of indebtedness issued by it shall be exempt from all other taxation in the hands of the holders of the same. [185 ch. 162 § 4]

*The rate of taxation is made four, instead of three, mills by '91 ch. 200 § 1.*

*If no interest is paid no tax can be collected. It is not a tax laid on the company nor on the bondholders as a body, but on each resident bondholder as an individual. The treasurer of the corporation is merely the agent of collection for the convenience of the state. [150 Pa. 312]*

*Foreign corporations paying without the state interest on bonds held by residents of Pennsylvania can not be required to pay a tax under the above section and deduct it from interest due. [153 U. S. 628]*

**Personal property, returns.** § 2 That the board of revision of taxes in cities coextensive with counties, shall furnish the assessors of said city annually, and the commissioners of the other counties shall annually furnish the assessors of the several townships, boroughs and cities of the respective counties with blanks in the form prepared and supplied by the auditor-general, and it shall be the duty of each of said assessors to furnish a copy of the same to every taxable person, copartnership, unincorporated association, joint-stock association and company, limited partnership and corporation in his respective ward, district, borough or township, or to any officer, agent or employee found at the place of business of any such limited partnership or corporation in his ward, district, borough or township, upon which blank each taxable person, copartnership, unincorporated association, company, limited partnership, joint-stock association and corporation, shall respectively make return annually of the aggregate amount of all the different classes of personal property made taxable by the first section of this act, held, owned or possessed by said person, copartnership, unincorporated association, company, limited partnership, joint-stock association or corporation, either in his, her or its own right, or as trustee, agent, attorney-in-fact or in any other capacity, for the

use, benefit or advantage of any other person, persons, copartnerships, unincorporated association, company, limited partnership, joint-stock association or corporation; which return shall be made and sworn or affirmed to by such taxable person, and in the case of copartnerships, unincorporated associations, and joint-stock associations and companies by some member thereof, and in the case of limited partnerships and corporations by the president, chairman or treasurer thereof; provided, that any corporation, joint-stock association or limited partnership doing business in more than one county shall be liable to make such return only in the county in which its principal office within this commonwealth is situated: provided, that the taxable person, copartnership, unincorporated association, joint-stock association, limited partnership, corporation or other person making the return aforesaid, shall not include in said return the obligations of public or private corporations, the tax upon which is required by law to be collected from the holder of such obligations and paid into the state treasury by the corporation, it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the collection of the tax upon such obligations shall remain unaffected by the present act. . . .

**Omnibuses, cabs, etc.** § 14 That the county commissioners or board of revision of taxes of each and every county in this commonwealth are hereby authorized and required, annually, hereafter, at the usual period of making county rates and levies, to assess or cause to be assessed, for the use of the commonwealth, upon all stages, omnibuses, hacks, cabs and other vehicles used for transporting passengers for hire, except steam and street passenger railway cars owned, used or possessed within this commonwealth by any person or persons or by any corporate body or bodies, and upon all annuities yielding annually over \$200, a tax of 4 mills, upon each and every dollar of the value thereof: provided also, that this section shall take effect on the first day of January, A. D. 1892. [*As amended by '91 ch. 200 § 2*] . . .

**Apportionment of personal property tax.** §16 That for the year

1892, and annually thereafter, three fourths of the net amount of tax based on the return of property subject to taxation for state purposes required to be made to and accepted by the state board of revenue commissioners, annually, by county commissioners and the board of revision of taxes in cities coextensive with counties, that is collected and paid into the state treasury by a county, or city coextensive with a county shall be returned by the state treasurer to such county or city coextensive with a county for its own use in payment of the expenses incurred by it in the assessment and collection of the said tax: provided, that in consideration of the return to counties, and cities coextensive with counties, of the tax as aforesaid, no claim shall be made upon or allowed by the commonwealth for abatements, tax collectors' commissions, extraordinary expenses, uncollectible taxes or for keeping a record of judgments and mortgages. [As amended by '91 ch. 200 § 3] . . .

**Registration of corporations.** § 19 That hereafter no limited partnership, bank, joint-stock association, association, corporation or company whatsoever, formed, erected, incorporated or organized, by or under any law of this commonwealth, general or special, or formed, erected, incorporated or organized under the laws of any other state, and doing business in this commonwealth, shall go into operation, without first having the name of the institution or company, the date of incorporation or organization, the act of assembly or authority under which formed, incorporated or organized, the place of business, the postoffice address, the names of the president, chairman, secretary and treasurer or cashier, and the amount of capital authorized by its charter, and the amount of capital paid into the treasury, registered in the office of the auditor-general; and every limited partnership, bank, association, joint-stock association, company or corporation whatsoever, now engaged in business in this commonwealth, shall within 90 days after the passage of this act, register as herein required in the office of the auditor-general; all the corporations, companies, associations and limited partnerships aforesaid, shall annually hereafter notify the auditor-

general of any change in their officers; and any such institution or company which shall neglect or refuse to comply with the provisions of this section, shall be subject to a penalty of \$500, which penalty shall be collected on an account settled by the auditor-general and state treasurer in the same manner as taxes on capital stock are settled and collected.

**Capital stock, reports for state tax on.** § 20 That hereafter, except in the case of banks, savings institutions and foreign insurance companies, it shall be the duty of the president, chairman or treasurer of every corporation having capital stock, every joint-stock association and limited partnership whatsoever, now or hereafter organized or incorporated by or under any law of this commonwealth, and of every corporation, joint-stock association and limited partnership whatsoever now or hereafter incorporated or organized by or under the laws of any other state or territory of the United States, or by the United States, or by any foreign government and doing business in and liable to taxation within this commonwealth, or having capital or property employed or used in this commonwealth, by or in the name of any limited partnership, joint-stock association, company or corporation whatsoever, association or associations, copartnership or copartnerships, person or persons, or in any other manner, to make a report in writing to the auditor-general in the month of November, 1892, and annually thereafter, stating specifically.

1st Total authorized capital stock.

2d Total authorized number of shares.

3d Number of shares of stock issued.

4th Par value of each share.

5th Amount paid into the treasury on each share.

6th Amount of capital paid in.

7th Amount of capital on which dividend was declared.

8th Date of each dividend declared during said year ended with the first Monday of November.

9th Rate per cent. of each dividend declared.

10th Amount of each dividend during the year ended with the first Monday in said month.

11th Gross earnings during the year.

12th Net earnings during said year.

13th Amount of surplus.

14th Amount of profit added to sinking fund during said year.

15th Highest price of sales of stock between the first and fifteenth days of November aforesaid.

16th Highest price of sales of stock during the year aforesaid.

17th Average price of sales of stock during the year; and in every case any two of the following named officers of such corporation, limited partnership or joint-stock association, namely: the president, chairman, secretary and treasurer, after being duly sworn or affirmed to do and perform the same with fidelity and according to the best of their knowledge and belief, shall, between the 1st and 15th days of November of each year, estimate and appraise the capital stock of the said company at its actual value in cash, not less however than the average price which said stock sold for during said year, and not less than the price or value indicated or measured by net earnings or by the amount of profit made and either declared in dividends or carried into surplus or sinking fund, and when the same shall have been so truly estimated and appraised they shall forthwith forward to the auditor-general a certificate thereof accompanied with a copy of their said oath or affirmation, signed by them and attested by a magistrate or other persons duly qualified to administer the same: provided, that if the auditor-general and state treasurer, or either of them, is not satisfied with the appraisement and valuation so made and returned, they are hereby authorized and empowered to make a valuation thereof based upon the facts contained in the report herein required, or upon any information within their possession or that shall come into their possession, and to settle an account on the valuation so made by them for the taxes, penalties and interest due the commonwealth thereon with a right to the company dissatisfied with any settlement so made against it to appeal therefrom in the manner now provided by law; and in the event of the neglect or refusal of the officers of any corporation, company, joint stock association or

limited partnership, for a period of 60 days to make the report and appraisement to the auditor-general as herein provided, it shall be the duty of the auditor-general and state treasurer to estimate a valuation of the capital stock of such defaulting corporation, company, joint-stock association or limited partnership, and settle an account for taxes, penalties and interest thereon, from which settlement there shall be no right of appeal. [*As amended by '91 ch. 200 § 4*]

Trust companies are taxable under this section.

**Tax on capital stock.** § 21 That every corporation, joint-stock association, limited partnership and company whatsoever from which a report is required under the 20th section hereof, shall be subject to pay into the treasury of the commonwealth annually a tax at the rate of 5 mills upon each dollar of the actual value of its whole capital stock of all kinds, including common, special and preferred, as ascertained in the manner prescribed in said 20th section, and it shall be the duty of the treasurer or other officers having charge of any such corporation, joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the treasury of the commonwealth within 30 days from the date of settlement of the account by the auditor general and state treasurer: provided, that for the purposes of this act interests in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly: provided also, that corporations, limited partnerships and joint-stock associations liable to tax on capital stock under this section shall not be required to make any report or pay any further tax on the mortgages, bonds and other securities owned by them in their own right but corporations, limited partnerships and joint-stock associations holding such securities as trustees, executors, administrators, guardians or in any other manner shall return and pay the tax imposed by this act upon all securities so held by them as in the case of individuals: and provided further, that the provisions of this section shall not apply to the taxation of so much of the capital stock of corporations, limited partner-

ships or joint-stock associations organized for manufacturing purposes, which is invested in and actually and exclusively employed in carrying on manufacturing within the state, except companies engaged in the brewing or distilling of spirits or malt liquors and such as enjoy and exercise the right of eminent domain, but every manufacturing corporation, limited partnership or joint-stock association shall pay the state tax of 5 mills herein provided upon such proportion of its capital stock, if any, as may be invested in any property or business not strictly incident or appurtenant to its manufacturing business in addition to the local taxes assessed upon its property in the districts where located, it being the object of this proviso to relieve from state taxation only so much of the capital stock as is invested purely in the manufacturing plant and business: provided further, in case of fire or marine insurance companies, the tax imposed by this section shall be at the rate of 3 mills on each dollar of the actual value of the whole capital stock. [*As amended by '93 ch. 288 § 1*]

**Valuation.** The amount and rate per cent of dividends made by a corporation, and the amount carried to surplus or sinking fund, during the tax year, do not furnish an absolute indication or measure of the actual value in cash of the capital stock of a corporation, but are to be considered, with all other relevant facts, in determining what is its actual value in cash. [164 *Pa.* 284]

The tax on capital stock is a tax on property, and it is proper to include in its appraisalment the value of the franchises and privileges enjoyed and exercised by the corporation, and to determine the value of these by the material result of their exercise. [165 *Pa.* 44]

**Property without the state.** The capital stock of a domestic railroad corporation, represented by its equipment in use interchangeably on its lines within and without the state, is taxable in the proportion its mileage operated in this state bears to its entire mileage. But the capital of such company, invested in real estate and other railroads outside the state, and in vessels, barges and tugs, built, registered and used wholly outside the state, is not subject to such taxation; the said property being already taxable in the states where it exists and is used. [145 *Pa.* 96]

The power of taxation is limited to subjects within the jurisdiction of the state, and it was not the intent of these acts to tax the whole capital stock of foreign corporations, irrespective of the place of its investment, but to tax the property of such company, that is, its capital stock, to the extent that it brings such property within the state in the transaction of its business. [101 *Pa.* 120]



**Capital stock report, penalty.** § 22 That if the said officers of any such limited partnership, joint-stock association or corporation, shall neglect or refuse to furnish the auditor-general, on or before the 31st day of December in each and every year, with the report and appraisement as aforesaid, as required by the 20th section of this act, it shall be the duty of the accounting officers of the commonwealth to add 10% to the tax of said limited partnership, joint-stock association or corporation, for each and every year for which such report and appraisement were not so furnished, which percentage shall be settled and collected with the said tax in the usual manner of settling accounts and collecting such taxes; if the officers of any such limited partnership, association, joint-stock association or corporation, or any of them, shall intentionally fail to comply with the requirements of the 20th section of this act for three successive years, he or they shall be deemed guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of \$500 and undergo an imprisonment not exceeding one year, or both or either, at the discretion of the court.

**Transportation and transmission companies, gross receipts tax.** § 23 That every railroad company, pipe line company, conduit company, steamboat company, canal company, slack water navigation company, transportation company, street passenger railway company, and every other company, joint-stock association or limited partnership, now or hereafter incorporated or organized by or under any law of this commonwealth, or now or hereafter organized or incorporated by any other state or by the United States or any foreign government, and doing business in this commonwealth, and owning, operating or leasing to or from another corporation, company, association, joint-stock association or limited partnership, any railroad, pipe line, slack water navigation, street passenger railway, canal or other device for the transportation of freight or passengers or oil, and every telephone or telegraph company incorporated under the laws of this or any other state or of the United States and doing business in this commonwealth, and every express company, in-

corporated or unincorporated, doing business in this commonwealth, and every firm, copartnership or joint-stock company or association doing express business in this commonwealth, and every electric light company and every palace car and sleeping car company, incorporated or unincorporated, doing business in this commonwealth, shall pay to the state treasurer a tax of 8 mills upon the dollar upon the gross receipts of said corporation, company or association, limited partnership, firm or copartnership, received from passengers and freight traffic transported wholly within this state and from telegraph, telephone or express business done wholly within this state, or from business of electric light companies, and from the transportation of oil done wholly within the state; the said tax shall be paid semi-annually upon the last days of January and July in each year; and for the purpose of ascertaining the amount of the same, it shall be the duty of the treasurer or other proper officer of the said company, firm, copartnership, limited partnership, joint-stock association or corporation, to transmit to the auditor-general a statement, under oath or affirmation of the amount of gross receipts of the said companies, copartnerships, corporations, joint-stock associations or limited partnerships derived from all sources and of gross receipts from business done wholly within the state, during the preceding six months ending on the first days of January and July in each year; and if any such company, firm, copartnership, joint-stock association, association or limited partnership or corporation, shall neglect or refuse for a period of 30 days after such tax becomes due, to make said returns or to pay the same, the amount thereof with an addition of 10% thereto, shall be collected for the use of the commonwealth as other taxes are recoverable by law: provided, that in any case where the works of one corporation, company, joint-stock association or limited partnership are leased to and operated by another corporation, company, association or limited partnership, the taxes imposed by this section shall be apportioned between the said corporations, companies, associations or limited partnerships in accordance with the terms of their

respective leases or agreements, but for the payment of the said taxes the commonwealth shall first look to the corporation, company, association or limited partnership operating the works, and upon payment by the said company, corporation, association or limited partnership of a tax upon the receipts as herein provided derived from the operation thereof, the corporation, company, joint-stock association or limited partnership from which the said works are leased, shall not be held liable under this section for any tax upon the proportion of said receipts received by it as rental for the use of said works.

**Express companies. Gross receipts.** Every corporation, limited partnership, joint stock association, partnership, firm or association of individuals, incorporated or unincorporated, engaged in the business commonly known as express business, shall pay to the state treasurer, for the use of the commonwealth, a tax of 8 mills upon the amount of their gross receipts from express business done wholly within this state, the said tax shall be paid semiannually upon the last days of January and July in each year; and for the purpose of ascertaining the amount of the same, it shall be the duty of the treasurer, or other proper officer of the said corporation, limited partnership, joint stock association, partnership, firm or association of individuals, to transmit to the auditor-general a statement, under oath or affirmation, of the amount of gross receipts of the said corporation, limited partnership, joint stock association, partnership, firm, or association of individuals, incorporated or unincorporated, derived from all sources, and of the gross receipts from business done wholly within the state, during the preceding six months ending upon the first days of January and July in each year; and if any such corporation, limited partnership, joint stock association, partnership, firm, or association of individuals, incorporated or unincorporated, shall neglect or refuse for a period of 30 days after such tax becomes due to make said returns, or to pay the said tax, the amount thereof, with an addition of 10% thereto, shall be collected for the use of the commonwealth as other taxes are recoverable by law. No other tax upon express receipts, or upon the privilege of transacting express business, shall be collected without further authority of law to be hereafter enacted: providing, that this act shall not be construed to repeal or take the place of the tax upon capital stock now imposed by law; but the tax on gross receipts hereby imposed shall be in addition to the tax on capital stock imposed by existing law upon any of the corporations, companies or associations hereby taxed. [1909 ch. 66 § 2]

**Insurance companies, gross premiums.** § 24 That hereafter it shall be the duty of the president, secretary or other proper officer of each and every insurance company or association incorporated by or under any law of this commonwealth, except

companies doing business upon the purely mutual plan without any capital stock or accumulated reserve, and purely mutual beneficial associations whose funds for the benefit of members, their families or heirs are made up entirely of the weekly or monthly contributions of their members and the accumulated interest thereon, to make report in writing to the auditor-general semiannually upon the first days of July and January in each year, setting forth the entire amount of premiums and assessments received by such company or association during the preceding six months, whether the said premiums and assessments were received in money or in the form of notes, credits or any other substitutes for money; and every such company or association shall pay into the state treasury semiannually on the last days of January and July, in addition to any other taxes to which it may be liable under the 1st and under the 21st sections of this act, a tax of 8 mills upon the dollar upon the gross amount of said premiums and assessments received from business transacted within this commonwealth: provided, that said report shall be made under oath or affirmation, and that it shall be the duty of the accounting officers of the commonwealth to add 10% to the account of any company or association whose officers shall neglect or refuse for a period of 30 days to make the said report or to pay into the state treasury the tax imposed by this section: and provided further, that hereafter the annual tax upon the premiums of insurance companies of other states or foreign governments shall be at the rate of 2% upon the gross premiums of every character and description received from business done within this commonwealth within the entire calendar year preceding. . . .

**Foreign companies.** No person shall act as agent or solicitor in this state of any insurance company of another state, or foreign government, in any manner whatever relating to risks, until the provisions of this act have been complied with on the part of the company or association, and there has been granted to said company or association, by the commissioner, a certificate of authority, showing that the company or association is authorized to transact business in this state; and it shall be the duty of every such company or association, authorized to transact business in this state, to make report to the commissioner in the month of January of each year, under oath of the president or secretary thereof, showing the

entire amount of premiums of every character and description received by said company or association in this state, during the year or fraction of a year ending with the 31st day of December preceding, whether said premiums were received in money or in the form of notes, credits or any other substitute for money, and pay into the state treasury a tax of 3% [2%] upon said premiums; and the commissioner shall not have power to grant a renewal of the certificate of said company or association until the tax aforesaid is paid into the state treasury. ['73 ch.3 § 10]

**Distribution of foreign fire insurance tax.** On and after the first day of January, 1896, and annually thereafter, there shall be paid by the state treasurer to the treasurers of the several cities and boroughs within the commonwealth, one half of the net amount received from the 2% tax paid upon premiums by foreign fire insurance companies. The amount to be paid to each of the treasurers of the several cities and boroughs, shall be based upon the return of said 2% tax upon premiums received from foreign fire insurance companies doing business within the said cities and boroughs as shown by the insurance commissioner's report. Warrants for the above purposes shall be drawn by the auditor-general, payable to the treasurers of the several cities and boroughs in accordance with this act whenever there are sufficient funds in the state treasury to pay the same. . . ['95 ch.289 §2]

**Tax on net earnings or income.** § 27 That from and after the passage of this act every incorporated company or limited partnership whatever, whether the same be incorporated, formed or organized under the laws of this or any other state or territory, and doing business within this commonwealth, and liable to taxation therein, which is not subject to the taxes imposed by the 21st or 24th sections of this act, except incorporated banks and savings institutions having capital stock, and foreign insurance companies, shall annually, upon the first Monday of November of each year, make report to the auditor-general under oath of some officer of such company, association or limited partnership, setting forth the entire amount of net earnings or income received by said company or limited partnership from all sources during the preceding year; and upon such net earnings or income, the said company, association or limited partnership, as the case may be, shall pay into the state treasury for the use of the commonwealth, within 60 days thereafter, 3% upon such annual net earnings or income, in addition to any taxes on personal property to which it may be subject under the first section of this act; and in case any company or limited partnership as aforesaid, shall neglect or refuse to make the report required

by this section to the auditor-general, on or before the 31st day of December following, such company, association or limited partnership shall be liable to a penalty of 10% for such neglect, which shall be added to the amount of tax found due on the settlement of their account: provided, that this section shall not apply to corporations and limited partnerships chartered or organized for the manufacturing purposes. . .

**Net earnings of brokers and private bankers.** § 1 That every stock broker, bill broker, exchange broker and private banker in this commonwealth shall, on or before the first Monday of December next, and on or before the same day in each year thereafter, make a written return, under oath or affirmation, to the auditor-general of this commonwealth, in which return he shall exhibit and set forth the full amount of his receipts from commissions, discounts abatements, allowances and all other profits arising from his business during the year ending with the 30th day of November preceding the date of such annual return, and shall forthwith pay into the state treasury 3% upon the aggregate amount contained in such return for the use of the commonwealth; all revenues derived from this source are hereby appropriated to the sinking fund to be applied under the direction of the commissioners thereof to the payment of the interest and reduction of the principal of the public debt, in like manner as other revenues appropriated to that fund are now applied.

**Registration.** § 2 That every stock broker, bill broker, exchange broker and private banker in this commonwealth, whether the business be conducted by an individual or more than one person in partnership shall, within three months after the passage of this act, and all others who shall hereafter engage in such business in this commonwealth, within 60 days after they commence the same, make a report to the auditor-general, in writing and under oath or affirmation, setting forth the name of the person so employed, if an individual, or if a partnership, the names of all the individuals composing the same, and the name of the firm, the location or place where such business is transacted, and the amount of capital invested therein, if any.

**Penalty.** § 3 That any such stock broker, bill broker, exchange broker or private banker in this commonwealth who shall neglect or refuse to make the return and report required by the first and second sections of this act shall, for every such neglect or refusal be subject to a penalty of \$1000, which penalty shall be collected on an account settled by the accountant officers as taxes on bank dividends are now settled and collected, and shall not be relieved from paying the amount which he is liable to pay to the commonwealth under the provisions of the first section of this act on account of his having been required and compelled to pay the said penalty. [95 ch. 283]

**Examination of books and papers.** § 29 That the auditor-general and state treasurer, or any agent appointed by them or either of them, are hereby authorized to examine the books and

papers of any corporation, institution, company, association or limited partnership made taxable by this act, to verify the accuracy of any return made under the provisions of this or any other act of assembly.

**Interest on accounts.** § 30 That in the settlement by the auditor-general and state treasurer of all accounts for taxes due the commonwealth, they shall charge interest upon the amount of tax or balance or balances found due the commonwealth, at the rate of 12% per annum from 30 days after the time said taxes or balances become due and payable to the time of the settlement of the same; and all balances due the commonwealth on accounts settled by the auditor-general and state treasurer shall bear interest from 60 days after date of settlement at the rate of 12% per annum until the same are paid; and any judgment recovered thereon shall bear interest at the rate of 12% per annum until paid; and the payment of interest as aforesaid shall not relieve any corporation from any of the penalties or commissions prescribed by law for neglect or refusal to furnish reports to the auditor-general or to pay any claim due to the commonwealth from such corporation: provided, that the auditor-general shall first have sent to such corporation a statement of the amount due.

**Liens for taxes.** § 31 That all taxes imposed by this act shall be a lien upon the franchises and property, both real and personal, of corporations, companies, associations, joint-stock associations and limited partnerships, from the time the said taxes are due and payable; and whenever the franchises or property of a corporation, company, association, joint-stock association or limited partnership shall be sold at a judicial sale, all taxes due the commonwealth shall first be allowed and paid out of the proceeds of such sale, before any judgment, mortgage or other claims which shall be entered of record or become a lien after the passage of this act.

**Dissolutions.** § 32 That no corporation, company, joint-stock association, association or limited partnership made taxable by this act, shall hereafter be dissolved by the decree of any court

of common pleas, nor shall any judicial sale be valid or a distribution of the proceeds thereof be made, until all taxes due the commonwealth have been fully paid into the state treasury, and the certificate of the auditor-general, state treasurer and attorney-general to this effect filed in the proper court, with the proceedings for dissolution or sale.

**Existing laws, certain not repealed.** § 33 That nothing in this act contained shall be taken or construed to alter or repeal existing laws imposing taxes upon collateral inheritances, or imposing any bonus or tax, nor with the license or tax on net earnings to be paid by bankers, brokers, private banks, unincorporated banks and savings institutions.

**Blanks.** § 34 The auditor-general is hereby authorized to prepare all blanks, in such forms as he may deem best calculated to insure true returns of all property taxable under the provisions of this act, and the collection of the taxes therein, and to take all necessary action to enforce the provisions of this act. . .

**Repealing clause.** § 36 That from and after the passage of this act, § 2, 3, 4 and 7 of the act, entitled "An act to provide revenue by taxation," approved the seventh day of June, A. D. 1879, and § 1, 3, 5 and 20 of the act, entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh of June 1879," approved June 30, 1885, and § 1 of an act, entitled "An act requiring boom companies to make report to the auditor-general of the number of logs annually rafted by them, and to pay taxes," approved April 6, 1870, and all other sections and parts of the said acts which are inconsistent herewith, or which are hereby substantially reenacted, and all other acts or parts of acts inconsistent herewith or which are hereby substantially reenacted, be and the same are hereby repealed, saving, reserving and excepting unto the commonwealth the right to collect any tax, taxes, interest, penalty or penalties due or owing, or accrued under the said sections, laws or parts of laws, or any of them, prior to the date of the approval of this act.



**Banks.** From and after the passage of this act every bank or savings institution having a capital stock incorporated by or under any law of this commonwealth or under any law of the United States, and located within this commonwealth, shall, on or before the 20th day of June in each and every year, make to the auditor-general a report in writing, verified by the oath or affirmation of the president, cashier or treasurer, setting forth the full number of shares of the capital stock subscribed for or issued by such bank or savings institution, and the actual value thereof, which shall be ascertained as hereinbefore provided; whereupon it shall be the duty of the auditor-general to assess such shares for taxation at the same rate as that imposed upon other moneyed capital in the hands of individual citizens of the state, that is to say, at the rate of 4 mills upon each dollar of the actual value thereof; the actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in, the surplus and undivided profits, and dividing this amount by the number of shares. The auditor-general shall have the power, and it shall be his duty in case he shall not be satisfied with the correctness of the report as made by the officers of any bank or savings institution, to summon the officers of said bank or savings institution to appear before him, upon notice to do so, on a day to be fixed by him, and to bring with them the books of said bank or savings institution for his examination; and he shall have the right to have further evidence to satisfy himself as to the correctness of the report made to him on the question of the value of the shares of stock of such bank or savings institution according to the rule hereinbefore stated. After the auditor-general shall have fixed the value of the shares of stock in any bank or savings institution by the method hereinbefore provided, and settled an account according to law, he shall thereupon transmit to the president, cashier or treasurer of such bank or savings institution, a copy of such settlement showing the valuation and assessment so made by him, and the amount of tax due the commonwealth on all such shares. And it shall be the duty of the president, cashier or treasurer of any

such bank or savings institution, immediately upon the receipt of said settlement, to post the same in a conspicuous place in such bank or savings institution so as to give notice to the shareholders of such valuation; and it shall be the duty of the auditor-general to hear any shareholder upon the subject of the valuation of such shares of stock at the auditor-general's office within a period of 30 days from the date of said settlement. It shall be the duty of every bank or savings institution, within a period of 40 days after the date of such settlement by the auditor-general, at its option, to pay the amount of said tax to the state treasurer from its general fund, or collect the same from its shareholders and pay over to the state treasurer: provided, that if any such bank or savings institution shall fail or refuse to make such report, or to pay such tax at the time herein specified or shall make any false statement in such report, or shall fail or refuse by its officers to appear before the auditor-general upon notice as aforesaid, or shall fail or refuse to produce its books for examination when required to do so by the auditor-general, he shall, after having ascertained the actual value of each share of the capital stock of such bank or savings institution from the best information he can obtain, add thereto 50% as a penalty, assess the tax as aforesaid, and proceed according to law to collect the same from such bank or savings institution: provided, further, that if the president, cashier or treasurer of any such bank or savings institution shall neglect or refuse to post the copy of the settlement in a conspicuous place in such bank or savings institution immediately upon the receipt of the same, so as to give notice to the shareholders, such president, cashier or treasurer shall be adjudged to be in default, and as a penalty for such default such bank or savings institution shall be responsible to the commonwealth for the amount of the tax assessed against the shareholders of such bank or savings institution: and provided, further, that in case any bank or savings institution having capital stock, incorporated under the law of this state or of the United States, shall collect, annually, from the shareholders thereof, said tax of 4 mills on the dollar upon

the actual value of all the shares of stock of said bank or savings institution according to the rule hereinbefore stated that have been subscribed for or issued, and pay the same into the state treasury on or before the first day of March in each year, the shares and so much of the capital and profits of such bank or savings institution as shall not be invested in real estate, shall be exempt from local taxation under the laws of this commonwealth; and such bank or savings institution shall not be required to make any report to the local assessor or county commissioners of its personal property owned by it in its own right for purposes of taxation, and shall not be required to pay any tax thereon. Except however that any bank or savings institution incorporated as aforesaid, in lieu of the method hereinbefore set out for ascertaining the actual value of the shares of capital stock thereof, may elect to collect annually from the stockholders thereof a tax of 10 mills on the dollar upon the par value of all shares of said bank that have been subscribed for or issued, and pay the same into the state treasury, on or before the first day of March in each year; and the shares of such bank or savings institution, and so much of the capital and profits of such bank or savings institution, as shall not be invested in real estate shall be exempted from local taxation under the laws of this commonwealth. [’97 ch.227 §1]

**Building and loan associations.** Upon all full paid, prepaid and fully matured or partly matured stock in any building and loan association incorporated under the laws of this state, or incorporated under the laws of any other state and doing business within this state, and upon which annual, semiannual, quarterly or monthly cash dividends or interest shall be paid, there shall be paid a state tax equal to that required to be paid upon money at interest by the general tax laws of this state; and such tax shall be deducted from the cash dividend or interest so provided for by the secretary or treasurer of such corporation, and be paid to the state treasurer. And every such domestic corporation shall annually make return to the auditor-general, at the time other returns for taxation are required to be made, of the

amount of its stock outstanding entitled to receive cash dividends or interest, and every such foreign corporation shall, in the reports required to be made by them to the banking department, make report of the amount of its stock held by residents of this state, entitled to receive cash dividends or interest, and said banking department shall, at the time other returns for taxation are required to be made, certify to the auditor-general the amount of such stock each of said foreign corporations had outstanding at the time of its last report to said banking department; and upon said sum such foreign corporation shall pay the tax above required to be paid to the state treasurer, upon demand, and failure to make such payment within 30 days after such demand shall have been made shall subject such corporation to the forfeiture of its right to transact business in this state: provided however, that nothing in this act shall be taken to require the payment of any tax upon any unmatured stock of building and loan associations upon which periodical payments are required to be made, or upon any such stock after it has matured and is in process of payment. ['97 ch.147 §1]

**Incorporation tax.** All corporations hereafter created under any general or special law of the commonwealth, except building and loan associations, and excepting all corporations named in the first class of § 2 of an act entitled "An act to provide for the incorporation and regulation of certain corporations," approved the 29th day of April, A. D. 1874, shall pay to the state treasurer, for the use of the commonwealth, a bonus of  $\frac{1}{3}$  of 1% upon the amount of the capital stock which said company is authorized to have, and a like bonus on any subsequent authorized increase thereof, and a like bonus shall be paid by all such companies heretofore incorporated upon any increase of their capital stock hereafter authorized. And no company as aforesaid shall have or exercise any corporate powers until the said bonus is paid, and the governor shall not issue letters patent to any company until he is satisfied that the said bonus has been paid to the state treasurer. And no company incorporated as aforesaid shall go into operation, or exercise any

corporate powers or privileges, until said bonus has been paid. The secretary of the commonwealth shall not permit the filing in his office of any proceedings for increase of capital stock until he is satisfied that the said bonus upon said authorized increase has been paid to the state treasurer. ['99 *ch.120* §1]

### NEW JERSEY

**Property taxable. Real and personal estate defined.** § 2 All real and personal estate within this state, whether owned by individuals or by corporations, shall be liable to taxation at the full and actual value thereof, on the day in each year when by law the assessment is to commence, at such rate per dollar as will be sufficient to produce the sum required to be raised, together with an addition thereto, not exceeding 10% of such sum to meet contingencies, after deducting the poll tax and the tax derived from foreign insurance companies.

§ 3 The term real estate, as used in this act, shall be construed to include all lands, all water power thereon or appurtenant thereto, and all buildings or erections thereon or affixed to the same, trees and underwood growing thereon, and all mines, quarries, peat and marl beds, and all fisheries.

§ 4 The term personal estate, as used in this act, shall be construed to include goods and chattels of every description, including steamboats and other vessels, money, debts due or owing from solvent debtors, whether on contract, note, bond, mortgage or book account, public stocks and stocks in corporations, whether said personal estate be within or without the state. [*G.S. p.3292* ¶62-64; '66 *ch.487* §2-4]

**Exemptions.** The following persons and property shall be exempt from taxation, namely:

1 The property and the bonds and other securities of the United States, and the bonds and securities of this state which are by law exempt from taxation, the property of the counties, townships, cities and boroughs of this state, and stocks and other personal estate owned by citizens of this state situate and being out of this state, upon which taxes shall have been

actually assessed and paid within 12 months next before the day prescribed by law for commencing the assessment.

2 All colleges, academies or seminaries of learning, public libraries, schoolhouses, buildings erected and used for religious worship, buildings used as asylums or schools for the care, cure, nurture, maintenance and education of feeble-minded or idiotic persons and children, provided such institutions are duly incorporated under the laws of this state, and the land whereon the same are situate, necessary to the fair use and enjoyment thereof, not exceeding 5 acres for each one, the furniture thereof and the personal property used therein, the endowment or fund of any religious society, college, academy, seminary of learning, public library or institution for feeble-minded persons as aforesaid; provided, that no building so used which may be rented for such purposes and rent received by the owner therefor shall be exempted; the stock of any corporation of this state, which by charter or other contract with this state is expressly exempted from taxation, the stock of any corporation of this state, the capital whereof is by this act made taxable to and against said corporation, pews in churches, graveyards not exceeding 10 acres of ground, cemeteries and all buildings erected thereon, and all buildings used exclusively for charitable purposes, with the land whereon the same are erected, and which may be necessary for the fair enjoyment thereof, and the furniture and personal property used therein, the funds of all charitable institutions and associations collected and held exclusively for the sick or disabled members thereof, or for the widows of deceased members or for the education, support and maintenance of deceased members. [*G. S. p. 3320 ¶ 200; '66 ch. 487 § 5 as amended by '94 ch. 233 § 1*]

A mortgage owned by a resident of this state although made upon lands situate in another state, where a tax upon such lands has been assessed and paid within the preceding 12 months, is taxable here. [*22 Vroom 140*]

Shares of stock in foreign corporations owned by citizens of this state, upon which taxes have been actually assessed and paid by the corporation within 12 months next before the day prescribed by law for commencing the assessment within this state, are exempt from taxation under the laws of this state. [*26 Vroom 110*]

**Real and personal property, how taxed.** All real and personal property of every corporation shall be taxed the same as the real and personal property of an individual; provided, that this section shall not apply to railway, turnpike, insurance, canal or banking corporations, or to savings banks, or to cemeteries, church property, or purely charitable or educational associations. [’96 ch. 185 § 110]

Only property actually within the state can be taxed. [29 *Vroom* 633, at 639]

**Franchises** of corporations are not taxable under this section. [27 *Vroom* 471]

**Debts.** Corporations have the same right to a deduction for debts due to creditors residing within the state as have individuals. [13 *Vroom* 357]

**Certain corporations. Shareholders exempt.** All private corporations of this state, except banking institutions, and except those which by virtue of any contract in their charters or other contracts with this state are expressly exempted from taxation, and except mutual life insurance companies specially taxed, shall be and are hereby required to be respectively assessed and taxed at the full amount of their capital stock paid in, and accumulated surplus; but any real estate which such corporations may lawfully own in any other state than this state, shall not be liable to be estimated in such accumulated surplus, and the persons holding the capital stock of such corporation shall not be assessed therefor; and such corporations as have no capital stock other than those above excepted, shall be assessed for the full amount of their property and valuable assets, without any deduction for debts and liabilities; but depositors in savings banks, taxed by virtue of this section, shall be exempted from taxation on their personal estate to the amount of their deposits; provided, that premium notes held by life insurance companies shall in no case be considered as future premiums, but shall be included in the valuable assets of said company. [*G. S. p.* 3296 ¶ 75; ’66 ch. 487 § 15]

This section is in force to the extent only that it is not inconsistent with ’96 ch. 185 § 110 above. The provisions for the exemption of shareholders and for the taxation of certain corporations not otherwise provided for are still in force. [17 *Vroom* 194]

Domestic fire insurance companies [25 *Vroom* 138; affirmed 26 *Vroom* 145] and savings banks [8 *Vroom* 408] are taxable under this section.

**Foreign corporations, how taxed.** All corporations regularly doing business in this state, and not being corporations of this state, shall be assessed and taxed for and in respect of the business so done by them and transacted in this state. . . [G. S. p.3297 ¶79; '66 ch. 487 §19]

**Building and loan associations.** The real and personal estate of all such corporations shall be liable to taxation the same as if owned by an individual resident in the place where the real estate of said corporation is situate. [G. S. p.335 ¶30; '75 ch.379 §3]

**Trust companies.** Every trust company incorporated under any law of this state shall be taxed in the taxing district where its office is situated upon the amount of its capital stock issued and outstanding, except that any real estate belonging to any such corporation shall be taxed in the taxing district where such real estate is situated, and the amount of assessment upon said real estate may be deducted from the amount of any assessment made upon the capital stock of the company as herein provided for; the capital stock, property and franchise of any such corporation shall be exempt from taxation in this state, except as hereinabove provided for. ['99 ch.174 §29]

**State and national banks.** Every person shall be assessed in the city, township or ward where he resides for all shares of the stock of any national bank in this state, and all shares of any bank organized under the laws of this state and subject to the provisions of "An act concerning banks and banking" (revision of 1899), owned by him or in his possession or control as trustee, guardian, executor or administrator; and in case said owner, trustee, guardian, executor or administrator shall be a nonresident of this state then and in that case he shall be assessed for said shares in the city, township or ward where said bank is located, and the tax assessed against such nonresident stockholder shall be a lien upon his stock from the day designated by law for commencing the assessment, and said stock may be levied upon and sold by virtue of a tax warrant to be issued against such nonresident for that purpose; and moreover it shall be the duty of said bank, upon demand for that purpose made by the collector of taxes, to pay the amount of tax so assessed against such nonresident and to retain the amount so paid out of the dividends from time to time declared upon said shares, and said bank shall have a lien upon such nonresident's shares of stock for the amount of the tax so assessed and paid thereon until the same shall be repaid to said bank, which lien may be enforced by appropriate proceedings in the court of chancery; provided, however, that all real estate of any such bank shall be assessed to the said bank in the city, township or ward in which said real estate is located, in the same manner as the real estate of individuals, and the amount of said assessment shall be deducted from the assets of said bank in estimating the assessable value of the shares of stock of said bank. ['00 ch.107 §11]



**Life insurance companies.** All associations or corporations whose business is that of assurance on lives, shall be assessed and taxed for the full amount of their property and valuable assets after deducting the amount of their debts and liabilities, and that to ascertain the said amounts, a statement of the assets and debts and liabilities as they existed in the month of January preceding such statement, shall be annually made to the assessor in the township or city where the company is located, upon the oath of the president, secretary or treasurer of said association or corporation, and no other tax or assessment shall be imposed on any such association or corporation; provided, that in stating the liabilities on policies, the basis of such statement shall be the then present value of such policies at the time of such statement, and not the gross amount insured thereby; and provided, that the amount of tax to be assessed against the Mutual benefit life insurance company, which accepted the provisions of the above-recited supplement, shall not be less than \$5,000 in any one year, nor less than the assessment on the value at the rate other property is taxed in the city of Newark, of the full amount of the mortgages held by the said company at the time of the assessment, on taxable property in said city, without any deduction therefor; and provided also, that the said company shall not be subjected to the foregoing provisions of this act until by an instrument duly executed under its corporate seal, filed in the office of the secretary of state of this state, it shall have signified its assent to this act. [G. S. p.3291 §58; '64 ch.276 §1]

**Property, where assessed.** Every person shall be assessed in the township or ward where he resides, for all personal estate in his possession or under his control, as trustee, guardian, executor or administrator; and in case the owner or owners of personal estate shall be nonresident of this state, then and in that case the said personal estate shall be taxed in the township or ward where the same may be situate; that the personal estate of every incorporated company liable to taxation, shall be assessed in the township or ward where the principal office shall be, or if such company have no principal office or place of transacting its financial concerns, then in the township or ward where the operations of such company are carried on, and where the tolls of any bridge, turnpike, railroad or canal company are collected in the several townships or wards, the personal estate of such company shall be assessed in the township or ward in which the treasurer, or other officer authorized to discharge the general pecuniary obligations of said company, resides; and the real estate of incorporated companies, liable to taxation, shall be

assessed in the township or ward in which the same shall lie, in the same manner as the real estate of individuals. [*G. S. p. 3293* ¶ 67; '66 *ch. 487* § 7]

**Real estate.** Hereafter all real estate except such real estate as is subject to assessment under the provisions of an act of the legislature of New Jersey, entitled "An act for the taxation of railroad and canal property," approved Ap. 10, 1884, and the supplements and amendments thereto, shall be assessed in the township, borough or taxing district in which the same may be situate; when the line between taxing districts divides a farm, each part thereof shall be assessed to the owner thereof in the taxing district in which the same may be located, and this whether such division line be a township, borough or county line. [*G. S. p. 3455* ¶ 818, '95 *ch. 370* § 1]

**Deductions for debt.** After making the valuation of the real and personal estate for which any individual shall be assessed, it shall be lawful for the assessor or for the commissioners of appeal in cases of taxation, to deduct from such valuation any debt or debts bona fide due and owing from such individual to creditors residing within this state; provided, that no deduction shall be made from the full and fair value of the real or personal estate of any individual, unless such individual shall make and sign a true statement in writing, under oath or affirmation, that the same is just and true, of the several debts owing by such individual, which he desires to have deducted, to whom owing and where the creditor resides, and also a statement of the total amount of real estate and of personal property of such individual, including mortgages held and other debts due and owing to such individual from solvent debtors, and shall deliver the same to the said assessor on or before the time limited by law for closing the assessment; provided, that if it shall be made to appear to the satisfaction of the commissioners of appeal that the individual assessed was prevented by sickness or other unavoidable accident from delivering such statement to the assessor as aforesaid, the said commissioners may permit the said individual or any person in his behalf, having knowledge of the facts, to deliver such statement to them sworn or affirmed to be just and true as aforesaid, and may therefore deduct the balance of such debts in like manner as the assessor might have done in case the said statement had been duly delivered to him;

and in case any assessor or commissioner of appeal shall make any such deduction, without having first delivered to him as aforesaid such statement under oath or affirmation, the said assessor and commissioner of appeal shall be deemed guilty of a misdemeanor, and liable to a fine not exceeding \$200; and all written statements and oaths and affirmations authorized and required by this act, shall be forthwith delivered to the clerk of the township wherein the assessor or person making the same resides, to be by him filed and preserved. [*G. S. p. 3298 ¶ 80; '66 ch. 487 § 20*]

**Procedure.** In making the valuation and assessment of personal estate within this state for state, county, township and municipal taxes, no deduction of the amount of any personal indebtedness shall be made therefrom, unless the individual claiming such deduction shall sign a statement in writing, under oath or affirmation, of the truth and justice thereof, and of the several debts owing by such individual which he desires to have deducted, to whom owing and where the creditor resides, and also of the total amount of personal property of such individual, including debts due and owing to such individual from solvent debtors; and also that no part of such indebtedness was created for the purpose of reducing the taxes of such individual; and that the stated actual value of the personal property of such individual includes not only that to which such individual holds title or possession, but also that to which any other person or persons hold the title or possession for such individual, whether the same be held in trust or not. [*G. S. p. 3305 ¶ 118; '78 ch. 143 § 1*]

In all cases in which deductions shall be hereafter claimed or allowed, either for indebtedness or for property claimed to be exempt from taxation, from the total values of the property or estate of any person or corporation to be assessed for taxes in this state, such person or corporation shall, in addition to the requirements now imposed by law, furnished to the assessor or other taxing officer or authority a statement under oath or affirmation, showing when the indebtedness for which said deduction is claimed was incurred, and a detailed list of the securities or property claimed to be exempt from taxation, and of the dates at which said securities or other property were purchased, together with a declaration under oath that said indebtedness was not incurred, nor said securities or property purchased with the intent to escape taxation, but in good faith. [*G. S. p. 3310 ¶ 142; '85 ch. 36 § 1*]

No deduction shall be made, either for indebtedness or for property or securities claimed to be exempt from taxation, unless the statement and deduction hereinbefore required shall be furnished at the time and in the manner now or hereafter directed by law for furnishing statements of taxable property and schedules of indebtedness; and that any person who

shall in such statement make a false return, in whole or in part of his or her taxable property or of his or her indebtedness, or of the indebtedness or taxable property of the corporation of which he may be an officer, or of such property or securities claimed to be exempt from taxation, shall be deemed guilty of perjury and subject to the penalties now or hereafter prescribed by law for that offense. [*G. S. p. 3310* ¶ 143; '85 *ch. 36* § 2]

The statements and declaration herein required to be furnished, when made by or in behalf of any corporation, shall be subscribed and sworn to by the president or principal officer of such corporation. [*G. S. p. 3310* ¶ 144; '85 *ch. 36* § 3]

The assessor, taxing officer or other taxing authority, to whom such statements and declarations shall be made, shall have power to examine under oath any person or officer of any corporation as to the truth of the matters contained in the statement or return made by such person or officer, and shall have authority to compel the attendance of such person or persons, and other witnesses, and the production of books and papers, at such time and place as they may designate, giving notice to such person or persons, or such additional witnesses, to attend at a time and place in said notice designated, and to produce such books and papers; which notice shall be served at least two days before the time therein designated by leaving it at the residence of such person or witness, or at the office of such corporation; and such assessor, or taxing officer, or any member of any taxing board is hereby authorized to administer oaths or affirmations to all persons examined before him or them as aforesaid. [*G. S. p. 3310* ¶ 145; '85 *ch. 36* § 4]

**Mortgages.** Hereafter no mortgage on real or personal property, or both, whether given by individuals or corporations, or the debt secured by such mortgage shall be assessed for taxation unless a deduction therefor shall have been claimed by the owner of such mortgaged property, and allowed by the assessor. [*G. S. p. 3319* ¶ 198; '76 *ch. 122* § 1; *as amended by* '93 *ch. 283* § 1]

Hereafter such mortgages or debts secured thereby as shall be subject to taxation, shall be assessed for taxation by the assessor making the deduction on account thereof, and the tax thereon shall be collected by the collector of taxes in and for the township or city wherein the lands in the mortgage described are situate. [*G. S. p. 3304* ¶ 113; '76 *ch. 122* § 2]

**Agreement not to apply for exemption.** Hereafter it shall be lawful for the owners of lands situated in the counties of Hudson, Essex, Union, Bergen and Passaic, and in the cities of Trenton, New Brunswick and Camden, to agree for themselves and their heirs and assigns with the holder of any mortgage now in existence or hereafter to be made, which

binds or may bind lands in said counties or cities, not to apply for any deduction, by reason of any mortgage, from the taxable value of such lands embraced in such mortgage. [G. S. p. 2109 ¶ 37; '76 ch. 121 § 1]

**Franchise tax on public service and miscellaneous corporations**

**Laws of 1884, ch. 159**

**Certain public service and insurance companies to pay franchise tax.** § 1 Every telegraph, telephone, cable or electric light company, every express company not owned by a railroad company and otherwise taxed, every gas company, palace or parlor or sleeping car company, every oil or pipe line company, every life insurance company incorporated under the laws of this state, and every fire, marine, live stock, casualty or accident insurance company, doing business in this state, except mutual fire insurance companies, which do not issue policies on the stock plan, shall pay an annual tax, for the use of the state, by way of a license for its corporate franchise as hereinafter mentioned; provided, however, that no company or society shall be construed to be a life insurance company doing business in this state within the purview of this act, which, by its act or certificate of incorporation, shall have for its object the assistance of sick, needy or disabled members, the defraying funeral expenses of deceased members, and to provide for the wants of the widows and families of members after death. [*As amended by '92 ch. 76 § 1*]

**Annual report.** § 2 On or before the first Tuesday of May next, and annually thereafter, it shall be the duty of the president, treasurer or other proper officer of every corporation of the character specified in the preceding section, to make report to the state board of assessors, appointed and to be appointed under the act entitled "An act for the taxation of railroad and canal property," stating specifically the following particulars, namely: each telegraph, telephone, cable and express company, not owned by a railroad company and otherwise taxed, shall state the gross amount of its receipts from business done in this state for the year preceding the first day of January prior to the making of such report; each gas company and electric light company shall

state the amount of its receipts for light or power supplied within this state for the year preceding the first day of February prior to the making of such report, and the amount of dividends declared or paid during the same time; each parlor, palace or sleeping car company shall state the gross amount of its receipts for fare or tolls for transportation of passengers within this state during the same time; each oil or pipe line company engaged in the transportation of oil or crude petroleum shall state the gross amount of its receipts from the transportation of oil or petroleum through its pipes or in and by its tanks or cars in this state during the same time; each fire, marine, live stock, casualty or accident insurance company shall state the total amount of premiums received by it for insurance upon the lives of persons resident or property located within this state, during the same time. [*As amended by '92 ch. 76 § 2*]

*Penalties.* § 3 If any officer of any company required by this act to make a return, shall, in such return, make a false statement, he shall be deemed guilty of perjury; if any such company shall also certify to each of said companies the amount of such item as aforesaid, the state board of assessors shall ascertain and fix the amount of the annual license fee or franchise tax, and the basis upon which the same is determined, in such manner as may be deemed by them most practicable, and the amount fixed by them shall stand as such basis of taxation under this act. [*As amended by '92 ch. 76 § 3*]

**Public service and miscellaneous corporations. Tax rate.** § 4 Each telegraph, telephone, cable and express company shall pay to the state an annual license fee or franchise tax at the rate of 2% upon the gross amount of its receipts so returned or ascertained; that each gas company and electric light company shall pay to the state an annual license fee or franchise tax at the rate of one half of 1% upon the gross amount of its receipts so returned or ascertained, and 5% upon the dividends in excess of 4% so paid or declared by said company; that each oil or pipe line company shall pay to the state an annual license fee or franchise tax at the

rate of eight tenths of 1% upon the gross amount of its receipts so returned or ascertained; that each insurance company other than life shall pay to the state an annual license fee or franchise tax at the rate of 1% upon the gross amount of its premiums so returned or ascertained; that each life insurance company incorporated under the laws of this state shall pay to the state an annual license fee or franchise tax of 1% upon the amount of its surplus on the 31st day of December next preceding the time of such payment, as fixed in § 5, and in addition thereto a further annual license fee or franchise tax of 35 one hundredths of 1% upon the total gross insurance premiums collected by such companies of this state during the year ending December 31 next preceding; provided, that any taxes, or charges in lieu of taxes, that may hereafter be collected by this state from life insurance companies of other states shall be credited in rebate of the taxes hereby imposed on companies of this state, in proportion to the several amounts payable by the several companies of this state under this act: the commissioner of banking and insurance shall ascertain and report to the state board of assessors all facts necessary to enable the said board to ascertain and fix the amount of taxation to be paid by life insurance companies under this act, and shall ascertain and report to said board the amount of rebate to be allowed to said companies as herein provided, and shall also certify to each of said companies the amount of such taxation and the rebate allowed under this act; that each parlor, palace or sleeping car company shall pay to the state an annual license fee or franchise tax at the rate of 2% upon the gross amount of its receipts so returned or ascertained; if any oil or pipe line company has part of its transportation line in this state and part thereof in another state or states, such company shall return a statement of its gross receipts for transportation of oil or petroleum over its whole line, together with a statement of the whole length of its line and the length of its line in this state; such company shall pay an annual license fee or franchise tax to the state at the aforesaid rate upon such proportion of its said gross receipts as the length of its line in this state bears to

the whole length of its line . . . [*As amended by '91 ch.93 §1 and '92 ch.76 §4*]

The omitted portion of this section is superseded by the following:

**Miscellaneous corporations.** 1 All corporations incorporated under the laws of this state, other than those which are subject to the payment of a state franchise tax assessed upon the basis of gross receipts, shall make annual return to the state board of assessors on or before the first Tuesday of May in each year, and shall state therein the amount of the capital stock of such corporation issued and outstanding on the first day of January preceding the making of said return, together with such other information as may be required by said board to carry out the provisions of this act, and shall pay an annual license fee or franchise tax of one-tenth of 1% on all amounts of capital stock issued and outstanding up to and including the sum of \$3,000,000; on all sums of capital stock issued and outstanding in excess of \$3,000,000 and not exceeding \$5,000,000, an annual license fee or franchise tax of one-twentieth of 1%, and the further sum of \$50 per annum per \$1,000,000, or any part thereof, on all amounts of capital stock issued and outstanding in excess of \$5,000,000; provided, that this act shall not apply to railway, canal or banking corporations, or to savings banks, cemeteries or religious corporations, or purely charitable or purely educational associations not conducted for profit, or manufacturing or mining corporations at least 50% of whose capital stock issued and outstanding is invested in mining or manufacturing carried on within this state, and which mining or manufacturing corporations shall have stated in the annual return to the state board of assessors where the mine or manufacturing establishment of such corporation or corporations is or are located, the character of the ores mined or the goods manufactured, the total amount of its capital stock embarked in the business of mining or manufacturing and the amount of capital stock actually employed in New Jersey in carrying on such mining or manufacturing business; if any manufacturing or mining company, carrying on business in this state shall have less than 50% of its capital stock, issued and outstanding, invested in business carried on within this state, such company shall pay the annual license fee or franchise tax herein provided for companies not carrying on business in this state, but shall be entitled, in the computation of such tax, to a deduction from the amount of its capital stock issued and outstanding of the assessed value of its real and personal estate so used in manufacturing or mining.

2 All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, and this act shall take effect immediately. [*'01 ch.9*]

**Surety companies.** Each surety company doing business within this state under the authority of an act entitled "An act relating to the formation of surety companies and regulating surety companies doing business in this state," approved Mar. 20, 1895, shall make return annually to the



state board of assessors of the amount of its premiums received within this state for the year preceding the first day of February prior to the making of such report, and shall pay to this state a tax at the rate of 2% upon the gross amount of said premiums so returned or ascertained, which return shall be made and taxes assessed and collected under and in accordance with the provisions of the act to which this act is a supplement and the several supplements thereto and amendments thereof, and that such surety companies shall not be liable to taxation under the insurance acts of this state. ['96 ch. 219]

This act applies to both foreign and domestic companies doing business under authority of '95 ch. 184.

**Foreign insurance companies. Taxes and reciprocal provisions.** Whereas, the revenue derived from the state under existing legislation is insufficient, the public interests demanding an increase of state taxes upon life insurance companies; and whereas, it is undesirable to impose any taxation for state purposes on life insurance companies not incorporated under the laws of this state but doing business therein, because by reason of the operation of reciprocal or retaliatory legislation of other states the companies of this state would be compelled to pay a much greater amount of taxation to other states than would be collected from such companies of other states by this state; and whereas, such companies of this state are willing to bear the entire burden of such taxation, provided such companies of other states be relieved therefrom; therefore,

All state taxes or charges in lieu of taxes, which are now imposed by any law of this state upon life insurance companies incorporated by other states of the United States, except such taxes and charges as may be imposed by the reciprocal or retaliatory laws of this state, are hereby abolished; and so much of any act or acts imposing any such taxes or charges is hereby repealed. ['91 ch. 7 § 1]

Annually, on or before the first day of February in each year, every such fire, life, accident, marine or live stock insurance company, shall pay to the secretary of state the sum of \$50, as license for transacting business in this state, and pay a tax of 2% on all premiums received by said companies in this state for the preceding year; provided, however, that life insurance companies of states which do not impose a greater assessment upon the agents of such companies incorporated by this state, shall pay annually on or before the first day of February to the secretary of state, in lieu of the tax of 2%, the sum of \$20 for each and every agent appointed by and acting for them. ['67 ch. 337 § 3; G. S. p. 1744 § 3]

When by the laws of any other state or nation any taxes, fines, penalties, licenses, fees, deposits of money or of securities, or other obligations or prohibitions are imposed on life insurance companies of this state doing business in such other state or nation, or upon their agents therein, so long as such laws continue in force, the same taxes, fines, penalties, licenses, fees, deposits, obligations and prohibitions, of whatever kind, shall be imposed upon all such insurance companies of such other state or nation

doing business within this state and upon their agents here; provided, that nothing herein shall be held to repeal or reduce the license fee of \$50 required of life insurance companies of other states doing business in this state, or the further payment of \$20 for each and every agent appointed by and acting for them, when by the provisions of this act such 2% is not payable. ['67 ch. 337 § 10; *G. S. p. 1744* ¶ 10]

When by the laws of any other state or nation, any taxes, fines, penalties, licenses, fees, deposits of money or of securities, or other obligations or prohibitions are imposed on insurance companies, other than life insurance, of this state doing business in such other state or nation, or upon their agents therein, so long as such laws continue in force the same taxes, fines, penalties, licenses, fees, deposits, obligations and prohibitions of whatever kind shall be imposed upon all such insurance companies of such other state or nation doing business within this state and upon their agents here; provided that nothing herein shall be held to repeal or reduce the license fee of \$50 required of fire insurance companies of other states doing business in this state, or the further payment of a tax of 2% on all premiums received by said companies in this state for the preceding year. ['67 ch. 337 § 11; *G. S. p. 1744* ¶ 11]

**Corporations exercising municipal franchise to use streets or public places.** § 1 All the property, real and personal, and franchises of all persons, copartnership, associations or corporations other than municipal or corporations taxable under the act entitled "An act for the taxation of railroad and canal property," approved April 10, 1884, or any of the supplements or amendments thereto, which have acquired or may hereafter acquire authority or permission from the state or from any taxing district thereof, and have or may hereafter have the right to use or occupy and occupying the streets, highways, roads, lanes or public places in this state, shall hereafter be valued, assessed and taxed as hereinafter provided.

**Property in public places.** § 2 The respective assessors or officers, having like powers and duties to perform, in each taxing district in this state, shall each year ascertain the value of such property located in, upon or under any public street, highway, road, lane or other public place in each taxing district, and the value of the property not so located; when so ascertained, all such property shall be assessed and taxed at local rates, as now provided by law, and all proceedings for appeal, review and collection now available shall remain applicable.

**Returns to state board.** § 3 The officers, whose duty it is to make the assessment in each taxing district, shall annually make a return, certified in writing, on or before the third Tuesday of September, of the valuation of all property assessed under the provisions of this act which is located in, upon or under any street, highway, road, lane or other public place in such taxing district, together with the names of the owners and those operating the same, and file the same in the office of the state board of assessors.

**Report of gross receipts.** § 4 All such persons, copartnerships, associations or corporations, subject to taxation under the provisions of this act, shall, on or before the first Tuesday in May in each year, return to the state board of assessors a statement showing the gross receipts of their business in the state of New Jersey for the year ending December 31, next preceding; any oil or pipe-line company having part of its transportation line in this state and part thereof in another state or states shall make a report showing its gross receipts for transportation of oil or petroleum on its whole line, together with the statement of the length of its whole line and the length of its line in this state along any street, highway, road, lane or other public place, and the franchise tax of such oil or pipe-line company for business so done in this state shall be upon such proportion of its gross receipts as the length of its line in this state along any street, highway, road, lane or other public place, bears to the length of its whole line; all of such statements or reports shall be subscribed and sworn to by the person, copartners or the president or other chief officer of each association or corporation; any person, copartnership, association or corporation willfully neglecting or refusing to make such annual statement or report shall forfeit as a penalty for such neglect or refusal not more than \$5,000, to be assessed by a jury, for each offense, to be recovered in any proper form of action in the supreme court of this state in the name of the state, and when collected shall be paid into the state treasury; it shall be the duty of the state board of assessors to certify any such default to the attorney-general of the state, who thereupon shall prosecute an action at law for such penalty; any person who shall falsely make any oath required to be made under this act shall be deemed guilty of perjury and, on conviction thereof, liable to all the penalties prescribed by law therefor.

**Gross receipts tax.** § 5 An annual franchise tax of 2% upon the annual gross receipts, as aforesaid, shall be assessed upon all persons, copartnerships, associations or corporations taxable under this act.

**Apportionment of tax.** § 6 The state board of assessors shall annually ascertain and apportion the franchise tax to the various taxing districts in proportion to the value of the property located in, upon or under any public street, road, highway, lane or other public place therein as shown by the statements so filed with said board; the amount of the franchise tax shall be certified in writing to the respective assessors of taxes or officers having like powers and duties to perform, on or before the third Tuesday of October in each year; provided, that no change in the apportionment of the franchise tax shall be made in case the valuation of any property is reduced after the return is filed as provided in section three; the assessors or officers shall, within five days after being so notified of such franchise tax, deliver or cause to be delivered to each person, copartnership, association or corporation taxable under the provisions of this act, and to the collector of taxes of such taxing district, a statement in writing showing the amount of such franchise tax so as-

certained, which shall become due at the time and place when and where other taxes are due and payable in such taxing district, and the tax shall be and remain a first lien on the property and assets of such person, copartnership, association or corporation, until paid with interest and penalty thereon, and shall be collected in the same manner that other taxes are collected, and the same proceedings now available for the collection of other taxes shall remain applicable to the collection of the franchise tax.

**Deduction of present payments.** § 7 All money now payable by any person, copartnership, association or corporation to any taxing district for its exclusive use pursuant to any contract, agreement, resolution or ordinance (except money expended for paving or repairing any street, highway or other public place, or taxes upon property real and personal), shall be paid notwithstanding this act, and when paid shall be considered a payment on account of, or in full, as the case may be, for the franchise tax to be apportioned according to the provisions hereof; if the amount so payable is greater than the amount of the franchise tax to be so apportioned, such payment shall be in lieu thereof; and if less, the difference in amount shall be payable as herein provided.

**Exemption from other franchise taxes.** § 8 The franchise taxes imposed by this act shall be in lieu of all other franchise taxes now assessed against the persons, copartnership, associations or corporations, subject to the provisions of this act and their property; this act shall not be construed to apply to any corporation which has not hitherto or may not hereafter exercise any municipal franchise.

**Construction of act.** § 9 None of the provisions of this act shall be construed as in any wise to alter, impair or repeal any of the provisions of an act entitled "An act for the taxation of railroad and canal property," approved April 10, 1884, or any of the supplements or amendments thereto, nor shall any corporation taxable under said act and the supplements and amendments thereto be taxable under this act; if any provision of this act shall, for any reason, be held to be unconstitutional or invalid it shall not affect the other provisions of this act or any of them.

**In effect, when.** § 10 This act shall take effect on the first day of January, 1901. ['00 ch. 195]

**Assessment and collection.** § 5 The state board of assessors shall certify and report to the controller of the state, on or before the first Monday of June in each year, a statement of the basis of the annual license fee or franchise tax as returned by each company to, or ascertained by, the said board, and the amount of tax due thereon respectively, at the rates fixed by this act; such tax shall thereupon become due and payable, and it shall be the duty of the state treasurer to receive the same; if the tax of any

company remains unpaid on the first day of July, after the same becomes due, the same shall thenceforth bear interest at the rate of 1% for each month until paid; the state board of assessors shall have power to require of any corporation subject to tax under this act such information or reports touching the affairs of such company as may be necessary to carry out the provisions of this act; and may require the production of the books of such company, and may swear and examine witnesses in relation thereto; the controller shall receive as compensation for his services under this act and under the act entitled "An act for the taxation of railroad and canal property," approved April 10, 1884, the sum of \$500 annually. [*As amended by '92 ch.76 §5*]

§ 6 Such tax, when determined, shall be a debt due from such company to the state, for which an action at law may be maintained after the same shall have been in arrears for the period of one month; such tax shall also be a preferred debt in case of insolvency.

§ 7 In addition to other remedies for the collection of such tax, it shall be lawful for the attorney-general, either of his own motion, or upon request of the state controller, whenever any tax due under this act from any company shall have remained in arrears for a period of three months after the same shall have become payable, to apply to the court of chancery, by petition in the name of the state, on five days notice to such corporation, which notice may be served in such manner as the chancellor may direct, for an injunction to restrain such corporation from the exercise of any franchise, or the transaction of any business within this state until the payment of such tax and interest due thereon, and the costs of such application, to be fixed by the chancellor; the said court is hereby authorized to grant such injunction, if a proper case appears, and upon the granting and service of such injunction, it shall not be lawful for such company thereafter to exercise any franchise or transact any business in this state until such injunction be dissolved.

**Failure for two years to pay tax.** § 1 If any corporation heretofore or hereafter created shall for two consecutive years neglect or refuse to pay

the state any tax which has been or shall be assessed against it under any law of this state and made payable into the state treasury, the charter of such corporation shall be void, and all powers conferred by law upon such corporation are hereby declared inoperative and void, unless the governor shall, for good cause shown to him, give further time for the payment of such taxes, in which case a certificate thereof shall be filed by the governor in the office of the controller, stating the reasons therefor. ['96 ch.187 § 1]

§ 2 On or before the first Monday in January in each year the controller shall report to the governor a list of all corporations which for two years next preceding such report have failed, neglected or refused to pay the taxes assessed against them under any law of this state as above, and the governor shall forthwith issue his proclamation, declaring under this act of the legislature that the charters of these corporations are repealed. [As amended by '00 ch.130]

§ 3 The proclamation of the governor shall be filed in the office of the secretary of state, and published in such newspapers and for such length of time as the governor shall designate.

§ 4 Any person or persons who shall exercise or attempt to exercise any powers under the charter of any such corporation after the issuing of such proclamation shall be deemed guilty of a misdemeanor, and shall be punished by imprisonment not exceeding one year, or a fine not exceeding \$1000, or both, in the discretion of the court.

§ 5 After any corporation of this state has failed and neglected for the space of two consecutive years to pay the taxes imposed on it by law, and the controller of this state shall have reported such corporation to the governor of this state, as provided in said amendatory act, then it shall be lawful for the attorney-general of this state to proceed against said corporation in the court of chancery of this state for the appointment of a receiver, or otherwise, and the said court in such proceeding shall ascertain the amount of the taxes remaining due and unpaid by such corporation to the state of New Jersey, and shall enter a final decree for the amount so ascertained, and thereupon a *feri facias* or other process shall issue for the collection of the same as other debts are collected, and if no property which may be seized and sold on *feri facias* shall be found within the said state of New Jersey, sufficient to pay such decree, the said court shall further order and decree that the said corporation, within 10 days from and after the service of notice of such decree upon any officer of said corporation upon whom service of process may be lawfully made, or such notice as the court shall direct, shall assign and transfer to the trustees or receiver appointed by the court, any chose in action, or any patent or patents, or any assignment of, or license under any patented invention or inventions owned by, leased or licensed to or controlled in whole or in part by said corporation, to be sold by said receiver or trustee for the satisfaction of such decree, and no injunction theretofore issued nor any forfeiture of the charter of any such corporation shall be held to exempt such

corporation from compliance with such order of the court; and if the said corporation shall neglect or refuse within 10 days from and after the service of such notice of such decree to assign and transfer the same to such receiver or trustee for sale as aforesaid, it shall be the duty of said court to appoint a trustee to make the assignment of the same, in the name and on behalf of such corporation, to the receiver or trustee appointed to make such sale, and the said receiver or trustee shall thereupon, after such notice and in such manner as required for the sale under *fiert facias* of personal property, sell the same to the highest bidder, and the said receiver or trustee, upon the payment of the purchase money, shall execute and deliver to such purchaser an assignment and transfer of all the patents and interests of the corporation so sold, which assignment or transfer shall vest in the purchaser a valid title to all the right, title and interest whatsoever of the said corporation therein, and the proceeds of such sale shall be applied to the payment of such unpaid taxes, together with the costs of said proceedings.

§ 6 Whenever it is established to the satisfaction of the governor that any corporation named in said proclamation has not neglected or refused to pay said tax within two consecutive years, or has been inadvertently reported to the governor by the controller as refusing or neglecting to pay the same as aforesaid, that the governor be and he is hereby authorized to correct such mistake, and to make the same known by filing his proclamation to that effect in the office of the secretary of state. [96 ch. 187]

**Governor, with advice of attorney-general, may renew void charters.**

§ 1 If the charter of any corporation heretofore or hereafter created, shall become inoperative or void by proclamation of the governor, or by operation of law, for nonpayment of taxes, the governor, by and with the advice of the attorney-general, may, at any time within two years thereafter, or after the default in the payment of such taxes, upon payment by said corporation to the secretary of state of such sum in lieu of taxes and penalties as to them may seem reasonable, but in no case to be less than the fees required as upon the filing of the original certificate of incorporation, permit such corporation to be reinstated and entitled to all its franchises and privileges, and upon such payment as aforesaid the secretary of state shall issue his certificate entitling such corporation to continue its said business and its said franchises.

§ 2 Nothing herein contained shall relieve said corporation from penalty of forfeiture of franchises in case of failure to pay future taxes imposed as in said act provided. [96 ch. 110]

**Proceedings for readjustment of assessment.** § 1 The officers of any corporation who shall consider the tax levied under the provisions of an act to which this act is a further supplement, excessive or otherwise unjust, may make application to the state board of assessors for a review of the assessment and a readjustment of the tax; provided, there be filed with the said board within three months from the date of assessment a

petition of appeal, duly verified according to law, stating specifically the grounds upon which the appeal is taken and the reasons why the tax is considered excessive or unjust; the state board of assessors shall thereupon proceed to investigate the contentions raised by the said petition of appeal; and for the purpose of such hearing, the officers of said corporation may be summoned to appear before said board, either in person or by attorney, and questioned as to the statements set forth in the said petition of appeal; if, in the opinion of a majority of the board, it shall appear that the tax so levied as aforesaid is excessive or unjust, they shall thereupon require the officers of the corporation to file with the board a corrected return, and upon said corrected return the assessment shall be adjusted and the tax reduced or amended as in the opinion of the board shall seem proper.

§ 2 If the petition of appeal shall not be filed within three months from the date of assessment, as aforesaid, the right to appeal to the state board shall be considered and treated as having been waived and the amount of tax levied shall be payable and collected as other taxes levied by said board. ['97 ch. 89]

**Taxes illegally assessed to be refunded.** When any corporation upon which taxes have been or shall be levied under the provisions of the act to which this is a supplement shall afterwards be found by the state board of assessors to be not liable under the said act for such tax, it shall be the duty of the said board to report and certify to the controller of the treasury the fact that such corporation has been found to be exempt from the tax imposed by the said act, and to cancel and declare null and void any taxes which may have been or shall be imposed upon such exempted corporation, and if any corporation has paid or shall pay the tax so improperly levied, the controller of the treasury shall be and is hereby authorized upon receipt of such certificate, to draw his warrant upon the state treasurer in favor of the proper officer of such corporation for any and all of such taxes which have been or shall be paid into the state treasury. ['88 ch. 86]

**Foreign fire insurance companies excepted.** § 8 This act shall not apply to or in any manner affect the tax upon the premiums obtained in this state by foreign fire insurance companies and their agents, which tax shall be in lieu of the tax herein provided and shall be collected and distributed as is specially provided by law in relation thereto.

**Application of the act.** The scheme of this particular taxing act seems to be to impose taxes on three classes of corporations—certain specified corporations doing business in the state wherever chartered, those not doing business in this state, but holding their charters under state authority, and a class of unspecified corporations, which must be few in number, holding charters under and performing their functions in the state.



In the former class different provisions for taxation as amongst themselves are adopted, and in the second and third classes named a franchise tax is imposed based upon the amount of their capital stock. [46 N. J. Eq. 270]

### **Railroads and canals**

#### *Laws of 1888 ch. 208*

**Property not used for railroad or canal purposes. Stocks and bonds.** § 1 All of the property of any railroad or canal company not used for railroad or canal purposes shall be assessed and taxed by the same assessors and in the same manner and at the same rate as the taxable property of other owners in the same municipal division or taxing district; all other property of any railroad or canal company shall be assessed and taxed as hereinafter directed; the tax imposed by this act shall be in lieu of all other taxation upon the property subject to taxation under the provisions of this act; in all cases where the real estate, tangible personal property and franchise of any company are assessed and taxed under this act, the shares of stock and the bonds and certificates of indebtedness of such company shall not be taxed in the hands of the shareholders, bondholders or creditors, except as hereinafter provided.

**State board of assessors.** § 2 All property of any railroad and of any canal company used for railroad or canal purposes shall be assessed by a state board of assessors, which shall consist of four members and shall be appointed by the governor, by and with the advice and consent of the senate; and no person shall be qualified or authorized to act as a member of said board unless his appointment shall have been confirmed by the senate; their term of office shall commence on the first Monday of May; the assessors first appointed shall be appointed to hold office respectively for one, two, three and four years, and until the appointment of a successor; all subsequent appointments shall be for a term of four years and until the appointment of a successor; vacancies shall be filled by the governor, subject to the approval of [the] senate; the said assessors shall be citizens of

this state, and shall not, during their term of office, be interested in any railroad or canal company; each assessor shall, before entering on his duties, file with the secretary of state an oath taken before a justice of the supreme court that he will faithfully discharge the duties of his office, and that he is not interested in any railroad or canal company; they shall each receive an annual salary of twenty-five hundred dollars; three members shall constitute a quorum, and any official act shall be valid which has the sanction of three members; they may employ a secretary, who shall receive such yearly compensation as the board of assessors may determine, not to exceed \$2500; they shall keep a record of their proceedings, and shall annually report to the legislature. [*As amended by '91 ch. 98*]

**Bipartisan board.** Hereafter all appointments to be made by the governor, of members of the state board of assessors, established under the provisions of the act to which this is a supplement, whether by reason of the expiration of the term of office of any member of the said board, or to fill any vacancies in said board caused by death, resignation or otherwise, shall be so made that not more than two members of the said board at any time shall be members of the same political party. [*G. S. p. 3335 ¶ 244; '94 ch. 185 § 1*]

**Valuation.** § 3 It shall be the duty of the board of assessors to meet at Trenton on the first Tuesday of May in the present and each succeeding year, and as often during each year and at such places as their duties may require; they shall proceed to ascertain the true value of all property used for railroad or canal purposes of each railroad and of each canal company in this state, including its franchises, and they shall, in such ascertainment, ascertain:

- 1 The length and value of the main stem of each railroad, and of the waterway of each canal and the length of such main stem and waterway in each taxing district;

- 2 The value of the other real estate used for railroad or canal purposes in each taxing district in this state, including the road-bed (other than main stem), waterways, reservoirs, tracks, buildings, water tanks, waterworks, riparian rights, docks, wharves and piers, and all other real estate, except lands not used for railroad or canal purposes;

3 The value of all the tangible personal property of each railroad and of each canal company;

4 The value of the remaining property, including the franchise.

The term "main stem" of each railroad and of each canal company, as used in this act, shall be held to include the road-bed not exceeding 100 feet in width, with its rails and sleepers, depot buildings used for passengers connected therewith; the term "waterway" shall be held to include the towing-path and berme-bank; the term "taxing district" shall be held to designate any municipality, city, township, borough, incorporated town or village having power to assess and levy taxes, through which any road or canal may run; the term "tangible personal property" shall be held to include the rolling-stock, cars, locomotives, ferry boats, all machinery, tools, other tangible personal property of any railroad company, and the floating, movable and other tangible personal property of any canal company, and also the locomotives and cars not belonging to such railroad company but built for its use and actually used in this state, or run under its control in this state by a sleeping-car company or other company; but the rolling-stock of other persons or corporations temporarily used on any such road, and the floating or movable property temporarily used on such canal, but not forming part of the equipment of such road or canal, shall not be included in said term.

**Local assessors.** § 4 It shall be the duty of the assessors in all taxing districts where property of any railroad or canal company not used for railroad or canal purposes shall be assessed, if required so to do by the state board of assessors, to certify and send to the state board of assessors, on or before the second Monday of June in each year, a statement giving the description of such property and showing the assessed valuation thereof; the local assessors shall also, at the same time, certify and send to the state board of assessors a short description of all the real property in their respective taxing districts, used or owned for railroad or canal purposes, excepting the main stem or road-

bed and track, not exceeding 100 feet in width of each railroad, and the waterway, towing-path and berme-bank, not exceeding 100 feet in width of each canal; the said assessors shall also certify to the said board the local rate of taxation for county and municipal purposes, as soon as the same shall be determined, and such other information obtained in the course of the performance of the duties of their office as the said board shall require of them, and for the service mentioned in this section the said local assessors shall receive \$3 per day for each day actually engaged in such service, to be paid on the warrant of the controller, on an affidavit of such service being filed in the office of said controller.

**Meetings of board.** § 5 On the first Monday of July the board shall meet at the state house, in Trenton, and shall give a hearing to all companies interested, touching the valuation and assessment of their property; the board may adjourn from day to day, and may, if they see fit, require all arguments and communications to be presented in writing; when the first Monday of July shall fall on the fourth or fifth day of that month, the day of meeting shall be on the first Tuesday of July; all parties interested shall take notice of this hearing.

**Property leased or operated by another corporation. Foreign equipment used in the state.** § 6 If the property of any railroad or canal company be leased to or operated by any other corporation, foreign or domestic, the property of the lessor, or company whose property is operated, shall be subject to taxation in the manner hereinbefore directed, and if the lessee or operating company, being a foreign corporation, be the owner or possessor of any property in this state other than that which it derives from the lessor or company whose property is operated, it shall be assessed in respect of such property in like manner as any domestic railroad or canal company; any tangible personal property of such foreign company, if used or kept but a part of the time in this state, shall be assessed such proportionate part of its value as the time it is used or kept in this state during the calendar year preceding bears to the whole year.

**Deduction for mortgages.** § 7 In case any railroad or canal company shall claim any deduction on account of any mortgage or debt secured thereby, the said board are hereby required to allow the same in the cases in which and to the extent to which the assessor is authorized by law to allow a deduction in the case of any other owner of mortgaged lands, and thereupon the said mortgage and the estate of the mortgagee in the land mortgaged shall be subject to taxation in the same manner, as nearly as may be, and at the same rate or rates, as the estate of the mortgagor; the deduction shall be made *pro rata* from the valuation of each class of property covered by the mortgage, and the amount received from the taxation thereof shall be distributed as if the tax had been paid by the mortgagor without deduction.

**Deduction of other debts. Assessment of debts to creditors.** § 8 If any railroad or canal company shall claim a deduction in any case in which such deduction could be claimed under the general laws of the state by other taxpayers for debts other than the deduction last hereinbefore mentioned, the said board are hereby required to allow the same, and the said indebtedness so allowed shall be taxable as other debts owing to creditors residing in this state are taxable, and at the same rate; but the assessment thereof shall be made by said board and not by the local assessor, and the tax shall be paid to the treasurer of the state, to the credit of the fund derived from taxation under this act; the deduction shall be made *pro rata* from the valuation of each class of property of the debtor assessed, and shall be distributed as if the tax had been paid by the debtor without deduction; provided, that no deduction, either for mortgage or other indebtedness, shall be allowed unless the same shall be applied for in the report and statement required to be made pursuant to this act, and unless the nature of the indebtedness, and the name and residence of the creditor, and the different taxing districts in which the mortgaged land lies, shall be specified, and unless the other terms imposed by the general laws of the state upon other taxpayers claiming deductions shall be complied with.

**State and local tax.** § 9 The state board of assessors shall, upon the completion of their valuation and assessment, proceed to compute the tax upon the entire assessed valuation of each railroad company and of each canal company, as ascertained by them; upon such valuation, each company shall pay to the state, for general state purposes, a tax at the rate of one half of 1% annually upon each dollar of valuation, and the state board of assessors shall compute the same; each company shall also pay, in addition to said tax of one half of 1%, a tax at the local rate as fixed and assessed for county and municipal purposes upon other property in each taxing district, upon the valuation of its property in the several taxing districts, separately valued and assessed under the provisions of subdivision two of section three of this act, which tax shall also be computed by the state board of assessors; but the last mentioned rate shall in no case exceed 1% of the valuation of the property valued under the provisions of subdivision two of § 3 of this act; the sum of the estimates or computations for each company shall constitute the tax to be paid by each company, and shall be a lien paramount to all other liens upon all the lands and tangible property and franchise of such company in this state; such lien shall take effect on the first day of November; and a copy of the valuation in detail of the property of each corporation and of the tax assessed against the same under the provisions of this act, shall be served upon the treasurer of such corporation or left at his office within 10 days after the said first day of November; but the failure to serve any such notice shall not be held to invalidate any tax assessed or affect any lien created under this act; said tax shall be a debt due from such company to the state on that date, for which an action at law or in equity may be maintained and which shall be a preferred debt in case of insolvency; these remedies are in addition to the special proceedings provided for in this act.

**Assessment and collection.** § 10 The said board shall certify and report to the controller of the state, on or before the first day of December in each year, a statement of the assessed

valuation of the property of each company in the state, and of the separate valuation of property in each taxing district, as made by them, the amount of tax payable by such company with respect to its property separately valued in each taxing district, and the aggregate assessed valuation, and the total tax levied upon each company; such statement shall be made separately for each company, and as to said property separately valued, shall be arranged by taxing districts in such manner as to be of easy reference, and shall be recorded in books in the office of the state controller, to be provided by him for that purpose, and shall be public records, subject to public inspection; and the amount of tax payable by each company, as shown by the said statements, shall be due and payable into the state treasury, on any day between the first day of November and the first day of February following; and the payment or collection thereof shall not be stayed by any writ or order of any court of law or equity; it shall be the duty of the state treasurer to receive payment of the said taxes from the said companies; if the taxes of any company, or any portion thereof, remain unpaid on the first day of February following the levying thereof, such company shall be considered in default, and such taxes, or such unpaid portion thereof, shall thenceforth bear interest at the rate of 1% for each month until paid, notwithstanding the prosecution of any writ of certiorari or other remedy; provided, that so much of the tax as is applicable to general state uses, as hereinafter provided, may be paid in four equal instalments on or before the first day of February, May and August and the 15th day of October in each year, and any unpaid portion or instalment shall bear interest only from the date limited for the payment thereof, at 1% for each month until paid, but this privilege of payment by instalment shall not be granted unless the portion of the tax which is applicable to county and local purposes shall be paid before the first day of February following the levying thereof.

**Apportionment of tax.** § 11 The money collected under this act for the one half of 1% tax shall be applied to the uses of the state, according to law; the amount received for tax upon prop-

erty separately assessed in the different taxing districts is hereby appropriated, and shall be allotted to the various taxing districts, giving to each district the amount that was derived from the property of each railroad or canal company therein; the controller shall transmit to the collector of each county a certificate showing the amounts allotted to the taxing district therein, and shall draw his warrant upon the state treasury, in favor of the several county collectors, for the amounts allotted to their several counties, and the county collector shall forthwith pay to the collector, or other proper officer of each taxing district, the amount allotted thereto, deducting, however, the amount due for county taxes from such taxing district; the amount thus paid to the county and taxing district shall be at the disposal of the proper authorities for public purposes; provided, however, that whenever the local city rate as fixed and assessed in any city exceeds 1% of the ratables of such city, then in such case the controller shall transmit to the collector of taxes of said city a certificate showing the amount allotted to such city, and shall draw his warrant upon the state treasurer in favor of the treasurer of such city for said amount; such warrant to be at the disposal of the board of such city having control of its finances, to be used for the municipal purposes of such city, such amount to be first applied to the purchase of such outstanding bonds or obligations of the city as can be bought below the par value thereof, and if no bonds or obligations can be bought below par, then such amount, or the balance, if any, shall be applied to the payment of such part of the city debt and interest falling due thereon as the said board having control of the finances of the city may determine. [*As amended by '88 ch. 259 § 1*]

The taxes which shall be hereafter assessed upon the real estate used for railroad or canal purposes in each taxing district in this state separately valued and assessed under the provisions of subdivision two (2) of section three (3) of said act, when collected, shall be allotted to and paid over to the various taxing districts through which said railroads or canals run, giving to each such district the total amount of tax that may be so derived from the property of each railroad or canal company therein. [*'97 ch. 69 § 1*]



**Assessment and collection.** § 12 The said state board of assessors shall meet on the third Monday of November, at the state house, in Trenton, for the purpose of reviewing their assessment, and may adjourn from time to time till they shall have finished the hearing; upon the written complaint of any company or person considering itself or himself aggrieved, and specifying the grievance, or of the attorney-general or of any member of the board, on behalf of the state, that the property of any company is assessed too low, either in the whole or in any taxing district, or that property has been omitted, they shall review the said assessment, and correct the same as shall appear just; the attorney-general shall attend such meetings of said board in person or by deputy; no complaint that any company or person is assessed too low, or that any property has been omitted, shall be acted upon until the company or person so assessed shall be notified of such complaint by five days' notice, to be served on such company or person by leaving the same at the office of such company or at the usual place of abode of such person, if a resident of this state; the board shall have the power to issue subpoenas and examine witnesses and call for the production of books and papers, and they shall be entitled to use their personal knowledge and judgment as to the value of property; they shall certify to the controller of the state all corrections which they shall make in any assessment; the proceedings provided for by this section shall be completed before the 15th day of January following the making of said assessment, and all complaints must be presented on or before the third Monday of November, or shall be deemed to have been waived.

§ 13 If any company or person assessed, or if the attorney-general on behalf of the state, or if the authorities of any taxing district, shall desire to contest the validity or amount of any tax levied upon property under the provisions of this act, such contest shall be made by certiorari, which may be granted on notice to the attorney-general or to the company or person assessed, on a proper case made, on such terms as the justice or court granting the writ may impose; upon such writ, relief may be had as

well in cases where it is claimed that the amount of tax is excessive or insufficient, as in cases where it is claimed that the principle upon which the assessment is made is erroneous; provided, that no writ of certiorari shall be granted unless the applicant has applied to said board of assessors to review the assessment, as provided for in this act, nor shall any writ of certiorari be granted after the expiration of three months from the final determination of said board; if such writ shall be allowed, and if it shall be made to appear that any assessment is unlawful, excessive or insufficient, the court shall correct the same by whomsoever such writ shall be prosecuted, and reduce or increase it, as may be just, or refer it back to the board of assessors, who shall correct or reassess the same, in accordance with the instructions of the court; in any suit or proceeding, except on such certiorari, the certificate and report of the state board of assessors shall be conclusive and shall have the force and effect of a judgment of a court of record having competent jurisdiction, and the proceedings whereon such certificate and report are founded, shall not be inquired into; no assessment or tax shall be set aside for misnomer of the owner of the property assessed; but the name may be corrected at any time by the board of assessors or court; the prosecutor of a writ of certiorari shall pay 8 cents per folio to the state board of assessors and controller for returns made by them of proceedings under this act.

§ 14 If any tax under the provisions of this act shall remain unpaid in whole or in part for 10 days after the expiration of the time limited for payment thereof, it shall be the duty of the attorney-general to apply forthwith to a justice of the supreme court for an order that said tax and the interest due thereon and a reasonable sum to be certified by said justice to be paid for the expense of said proceeding, shall be made a record of the supreme court, and judgment shall be entered therefor in the name of the state of New Jersey as plaintiff against said company, mortgagee or mortgagees, or other creditor, as defendant, which order shall be made upon the production of a certified copy from the controller of the certificate and report of the state

board of assessors on file in his office, and of the certificate of the controller that said tax has not been paid; the attorney-general shall also apply for an order that execution forthwith issue on said judgment, directed to a master of the court of chancery, to be named by said justice in said order; the said orders shall be respectively applied for on five days' notice to the company or mortgagee or mortgagees or other creditor concerned, which notice, in case of any company, shall be served in the same manner as a summons is directed by law to be served upon a corporation, and in all cases the proceedings shall be summary; in case a certiorari shall have been granted, on application of the attorney-general the orders above provided for shall be made and enforced without prejudice to the right of the state to enforce the payment of any additional amount of tax which may be imposed and to apply for a second judgment therefor; in case a certiorari shall have been granted on application of any company or mortgagees or other creditor taxed, and the tax shall have been reduced after the payment thereof, then the excess shall be repaid by the state upon the order of the court, and the state controller shall, upon such order, issue his warrant for such payment accordingly.

§ 15 The master in chancery to whom the execution shall be directed shall sell all the franchise, real estate and rolling-stock and property of said company, and the estate and interest of any mortgagees, and the debt due to any creditor for which a deduction has been allowed, or so much thereof as may be necessary to make the amount due on said tax judgment and the usual execution fees; the execution shall describe the property or debt aforesaid whereon the tax was assessed, and shall direct the sale thereof, and, generally, the sale of all other property of said company or person; such sale shall pass the absolute title to the franchise and property and debt aforesaid so sold, whereon the said tax was assessed or became a lien, free and clear of all liens, incumbrances and trusts of every nature, except taxes subsequently levied; in cases of the sale of the estate and interest of any mortgagee it shall pass as well such estate as the interest

of all bondholders and *cestuis que trust* for whose benefit said mortgage may have been given or may be held in trust or otherwise; as to any other property of said company or persons, the judgment and execution shall constitute or become liens in the same manner and to the same extent as other judgments and executions of the supreme court; the sale, advertisements and proceedings under such executions shall be the same as under other executions of the supreme court; provided, however, that the company whose franchise, real estate, rolling-stock and property, or any part thereof, has been so sold, and the mortgagee or mortgagees or any bondholder or other person having an interest in the estate and interest of the corporation or mortgagee which has been so sold, may, at any time within two years from and after any such sale, redeem the property so sold by tendering and paying to the purchaser or purchasers thereof the amount of the purchase money by him or them paid, together with interest thereon at the rate of ten per centum per annum.

§ 16 In order to ascertain the facts necessary for the discharge of their duties under this act, the said board shall use such lawful means as they may deem necessary; they may employ surveyors if they shall be dissatisfied with information otherwise attainable; they shall have the power of compelling the attendance of witnesses and the production of books and papers; and they may delegate such power to any member of their board authorized by them to investigate and report; they shall also use the returns hereinafter provided for, but such returns shall not be conclusive, and if any of said returns shall not be made, the board shall ascertain the necessary facts from the best information they can obtain, in such mode as they may find convenient, using their personal knowledge and judgment; the said assessors, or any one of them, shall have power to administer oaths and affirmations to any person to ascertain any facts which will enable them properly to perform the duties of their office, and they may reduce the statements of the person sworn to writing, and require him to swear and subscribe thereto, and may, *ex parte*, apply for and obtain from any justice of the supreme court an order to compel

any person to submit to examination in reference to such matters, and such justice may punish any party as for a contempt who shall disobey any order made by such justice in the premises.

**Returns.** § 17 On or before the first Tuesday of May in each year, any person or company running, operating or constructing any railroad or canal in this state shall return to the state board of assessors statements or schedules, subscribed and sworn to by the president or other chief officer, before some officer of the state authorized to administer oaths, of the property of such railroad or canal as it existed on the first day of January preceding, which, for each railroad, shall be as follows:

1 of the real estate, specifying its extent and dimensions, which may be shown by a map or maps, setting out in detail the total length of the road, including branch and leased lines, the entire length in this state, and the length of double or side tracks; and the number, character and value of all buildings and structures in each county and in each taxing district through or in which it is located in this state, designating the main stem or road-bed and the width wherever it exceeds 100 feet, and designating particularly any portion in each taxing district which is not used for railroad purposes, and which is locally assessed and taxed, and the value thereof;

2 of the rolling-stock and tangible personal property, giving the number of freight engines, passenger engines, passenger and freight cars, ferry boats and other movable property of every description, owned, used or hired, and the value thereof;

3 a statement or schedule, showing:

*a* the amount of capital stock authorized and the number of shares into which such capital stock is divided;

*b* the amount of capital stock paid up;

*c* the market value, and if no market value, then the actual value of the shares of stock;

*d* the total amount and the details and particulars of all indebtedness.

Such statements and schedules for canals shall be as follows:

1 of all the real estate of said company, giving the depth of

water and dimensions of such canal, the length of the canal and of its feeders in the state, and the number, character and value of all locks, and of all buildings and other structures in each county and taxing district, designating particularly the width where it exceeds 100 feet and designating any portion in each taxing district which is not used for canal purposes and which is locally assessed and taxed;

2 the floating and movable property;

3 a statement or schedule containing all the particulars above enumerated and to be returned by railroad companies in the third statement or schedule; such statements or schedules shall be made in conformity with such instructions and forms as may be prescribed by the said board, and such further statements shall be furnished as said board shall require; the said board shall prescribe the form of the oath to the statements and schedules required by this section, any person who shall make such oath falsely shall be guilty of perjury.

§ 18 Any railroad or canal company claiming exemption from taxation under this act, by reason of any alleged contract with the state, shall, together with and in addition to the return required by the last section, make a further return specifying the act or acts of the legislature by which such contract is claimed to have been created, and also specifying what portion of the property of said railroad or canal company is claimed to be exempt from taxation under this act and the particulars thereof, and the cost and value thereof, and such other particulars as the charter of said company and as the said board may require, and the particulars as to character, location and value of the property, if any, admitted to be liable under this act; such return shall be in no manner conclusive as to any of the facts therein stated, but said board shall investigate and determine whether any, and if any, what portion of the property of such company is by contract beyond the power of the state to tax under this act; and shall ascertain the cost and value thereof, and shall estimate the tax to be paid by such company; the residue of said property shall be assessed, apportioned, valued and taxed pursuant to the provisions of this act.

§ 19 It shall not be lawful for any railroad or canal company having any contract with the state whereby any of their property is exempted from the taxation imposed by this act, to acquire and hold, directly or indirectly, any property in this state (except such property as such company may be entitled to acquire and hold pursuant to their said contract with this state, if such company has any charter provisions on this subject which the legislature can not abrogate or repeal), unless such company shall, by a written instrument, executed under their common seal, approved by the attorney-general and filed with the secretary of state, first agree that any and all property acquired by such company after the passage of this act shall be subject to taxation under the provisions of this act, or any amendments thereto, or any further act of the legislature, in which case such property shall be so subject.

**Neglect to make returns.** § 20 If any person or corporation running, operating or constructing any railroad or canal shall wilfully neglect to make returns, as required by this act, such person or corporation shall forfeit as a penalty not more than \$10,000, to be assessed by the jury, for each offense, to be recovered in any proper form of action in the supreme court, in the name of the state, and paid into the state treasury; it shall be the duty of said board to certify any such default to the attorney-general of the state, and it shall be the duty of the attorney-general to prosecute for such penalty; any person who shall make falsely any oath required to be made under this act, and any person who shall testify falsely when called to testify under this act, shall be guilty of perjury, and on conviction thereof shall be liable to all the penalties prescribed by law therefor.

**Collection.** § 21 All railroad companies in this state, which shall hereafter pay any taxes imposed by this act on any cars, hired, leased, run or used on the roads of such companies in this state, shall have a right of action against the company or persons owning such cars, for the taxes so paid, with interest thereon from date of payment, and may sue for and recover the same in any court of competent jurisdiction; but nothing in this

section shall be so construed as to avoid the obligation of any contract relating to the payment of taxes heretofore entered into or made between any such company, its agents, or persons owning such cars, and any such railroad company.

§ 22 If any company shall be in default under this act in payment of the state tax aforesaid, any person having any interest in a mortgage or other lien on its franchises or property, may pay the state treasurer the amount of such state tax, and the interest due thereon, and receive from said treasurer a certificate of such payment, and such person shall thereupon be entitled to be repaid the amount of said tax and interest thereon at the rate of 12% per annum out of the first proceeds of any sale of the franchises or property of said company, and such tax and interest thereon shall continue a lien on the franchise and property of the company for the benefit of the holder of or person interested in such mortgage or lien until paid by said company from the sale of its franchises or property; if any proceedings have been taken by the attorney-general to enforce the payment of said tax and interest thereon, then such holder of or person interested in a mortgage or lien paying such tax and interest shall pay such additional amount as a justice of the supreme court shall certify to be proper and reasonable for the expenses and services of the proceedings as far as they have progressed for the collection of said tax and interest thereon.

**Property owned by individuals.** § 23 If any railroad or canal shall be owned or operated under a franchise by any individual or association not incorporated, the term "company" used in this act shall apply to such owners or operators, and such property shall be assessed and taxed under the provisions of this act in the same manner as if operated by a company, and the persons operating or owning such railroad or canal shall make the returns required by this act to be made by companies.

**Special counsel and assistants.** § 24 The attorney-general shall, with the approval of the governor and controller, have power to employ such assistant attorneys or counsel as may be necessary to protect and properly defend the interest of the state, in carry-



ing out the provisions of this act; and such assistants shall be paid such compensation by the state as may be approved by the attorney-general and the controller; the state board of assessors shall have power to employ such assistants in making their valuations as may be necessary to complete the same in due time, and such assistants shall be paid such reasonable compensation for their services as the board and the governor shall approve.

**Corporations having contracts with state.** § 25 Any corporation having or claiming to have any contract with the state whereby any of its property is claimed to be exempted from the taxation imposed by this act, may, at its discretion, voluntarily pay to the state from year to year such sums of money as, added to the tax now assessable against such corporation under such alleged contract, will be equal to the tax assessable against such corporation under this act in respect to the property so claimed to be exempted, and such voluntary payment shall not be construed in any proceeding or suit to be a waiver by such corporation of its said alleged contract; provided, however, that nothing in this section, or in this act contained, shall be construed or taken as an admission on the part of the state that any corporation is possessed of any contract or especial provision of the law on the subject of taxation which may not at any time be repealed or modified by the state.

**Unconstitutionality of one section not to affect others.** § 26 If any section of this act shall, for any reason, be held to be unconstitutional or invalid, it shall not affect the other provisions of this act or any of them.

**Companies having contracts with state.** § 27 Any corporation in this state having the right, by contract, to any different imposition of tax, either state or municipal, than that provided for in this act, are hereby authorized to execute and file in the office of the secretary of state an instrument, to be first approved by the attorney-general, waiving the benefit of any such contract, whereupon they shall be bound by the terms of this act, or any amendments hereto, or any further act of the legislature, and

upon filing any such instrument the state agrees to surrender its right to take the property of any such corporation under any law now existing; provided, that any such corporation shall execute and file such instrument within six months from the time of the passage of this act.

**Correction of assessment.** § 28 In case any property of any railroad or canal company which has been or shall hereafter be in any year assessed by the local authorities of any taxing district has been or shall be also assessed by the state board of assessors as property used for railroad or canal purposes, the supreme court or any three justices thereof, to be assigned by the chief justice, shall determine, in a summary manner, the character of the property and whether used for railroad or canal purposes, and by which assessors the same has lawfully been assessed, which determination shall be made whether the taxes in question have been paid or not, and whether a certiorari to review either assessment has been granted or not; such determination shall be made under an order to show cause at a time and place to be therein designated, which order shall be granted by the chief justice of the supreme court upon application *ex parte* by any of the parties interested, namely, by the attorney-general on behalf of the state, or by the owner of the property assessed, or by the authorities of the taxing district; and said order shall be served not less than 10 days before the day fixed therein for the hearing, upon the said parties interested not making such application; depositions may be taken, on two days' notice by either party, to be used on such hearing; the justices before whom the matter shall be heard, may, if they see fit, view the property in dispute, to guide them in their decision; the judgment of the court shall direct the cancelation or reduction of either assessment, as the character of the property may require, and shall make such order as to the return to the taxpayer of any tax or any portion thereof, that may have been paid to the state, or to any taxing district not entitled thereto, as such court shall deem just; the payment of costs may be directed in such manner as the court may deem equitable; the said judgment shall be con-

clusive and final in all collateral proceedings, but may be reviewed on writ of error by the court of errors and appeals.

**Payment of tax not to affect right to writ of certiorari.** § 29 If any corporation whose property and franchises have been or shall be valued and assessed under the provisions of the act to which this is a supplement, by the state board of assessors, shall pay or cause to be paid to the treasurer of the state the tax so assessed upon its property and its franchises at the times and in the manner provided by law, or within 15 days after the state board of assessors shall have made and declared their final revision of their valuations and assessments, neither such payment nor the lapse of time in making application for a writ of certiorari shall be considered by any court or judge thereof as a reason why such corporation should not be entitled to such writ of certiorari upon any question adjudicated in favor of any corporation that may refuse to pay the taxes assessed against it, and that shall bring its writ of certiorari, to review the valuations and assessments within the time limited by the act to which this is a supplement; provided, application for a writ of certiorari be made within six months after such question has been finally adjudicated, and no other questions shall be considered on said writ.

**Act subject to amendment. Repealing clause.** § 30 This act shall be subject to amendments, alterations or repeal at the will of the legislature; the "Act for the taxation of railroad and canal property," approved April 10, anno domini 1884, which is by this act revised and amended, and the supplements thereto approved February 5 and April 5, anno domini 1885, and all other acts inconsistent with the provisions of this act, are hereby repealed, except so far as herein reenacted, but nothing in this repealer shall affect or impair the lien of any taxes heretofore assessed or any remedies for the collection of the same, or to surrender any remedies, powers, rights or privileges acquired by the state under said act hereby revised, or to relieve any person or corporation from any penalty imposed by said act and supplements,

nor shall anything in this act be held to repeal the supplement to the said act hereby revised, which supplement was approved June 10, anno domini 1886, nor shall this act affect the tenure of office of the present state board of assessors.

§ 31 This act shall take effect immediately. ['88 *ch.* 208]

#### Incorporation and license tax

**Incorporation tax.** On filing any certificate or other paper, relative to corporations, in the office of the secretary of state, the following fees and taxes shall be paid to the secretary of state, for the use of the state: for certificate of incorporation, 20 cents for each thousand dollars of the total amount of capital stock authorized, but in no case less than \$25; increase of capital stock, 20 cents for each thousand dollars of the total increase authorized, but in no case less than 20 dollars; consolidation and merger of corporations, 20 cents for each thousand dollars of capital authorized, beyond the total authorized capital of the corporations merged or consolidated, but in no case less than 20 dollars; extension or renewal of corporate existence of any corporation, the same as required for the original certificate of organization by this act; dissolution of corporation, change of name, change of nature of business, amended certificates of organization (other than those authorizing increase of capital stock), decrease of capital stock, increase or decrease of par value of or number of shares, 20 dollars; for filing list of officers and directors, \$1; filing copy of charter and statement of foreign corporation and issuing certificate of authority to transact business, \$10, and for all certificates not hereby provided for, \$5; provided, that no fees shall be required to be paid by any religious or charitable society or association, or educational association having no capital stock. ['96 *ch.* 185 § 114]

**Foreign corporations. Reciprocal taxes.** When, by the laws of any other state or nation, any other or greater taxes, fines, penalties, licenses, fees or other obligations or requirements are imposed upon corporations of this state, doing business in such other state or nation, or upon their agents therein, than the laws

of this state impose upon their corporations or agents doing business in this state, so long as such laws continue in force in such foreign state or nation, the same taxes, fines, penalties, licenses, fees, obligations and requirements of whatever kind shall be imposed upon all corporations of such other state or nation doing business within this state and upon their agents here; provided, that nothing herein shall be held to repeal any duty, condition or requirement now imposed by law upon such corporations of other states or nations transacting business in the state. ['96 ch. 185 § 101]



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# New York State Library

Bulletin 69 December 1901

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OF

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(Legislation to be issued soon will be a review of the legislation of 1901 by various specialists)

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# New York State Library

MELVIL DEWEY Director

Bulletin 69      December 1901

LEGISLATION 15

## Comparative Summary and Index

OF

LEGISLATION IN 1901

### PREFACE

In this highly competitive age improved methods must be quickly adopted in government as well as in industry to keep in the lead. States which do not study their neighbors' methods of government are as sure to lag behind as is the manufacturer who does not study his competitors' methods of production. This bulletin prepared by Robert H. Whitten Ph. D. sociology librarian and J. B. Phillips Ph. D. is an attempt to digest and organize the enormous annual output of legislation so as to enable legislators with a minimum of labor to make use of the most recent experience of other states.

As fast as advance copies of the session laws of each state can be secured, the separate laws are summarized on cards and classified by subject. This enables the library to answer promptly frequent inquiries regarding legislation in other states. At the end of the year the summary thus prepared is printed as part of this bulletin. The aim is to summarize the laws sufficiently to give a concise comparative view of current state legislation. It is of course impracticable to give many details of long general laws, and private, local and temporary acts unless of great general interest are not included.

As a decision of the supreme court of a state or of the United States declaring a statute unconstitutional is in effect equivalent to its repeal by the legislature, a digest of such decisions is in-

cluded with the laws. Constitutional amendments submitted to future action of the legislature or people, as well as those voted on since the last bulletin, are placed in the summary under their proper subject-heads, and on page 1178 there is a separate table arranged by states, showing the result of votes, and referring to the marginal numbers.

For three years we have included under the head *Review* of legislation brief notes on the most important and distinctive enactments. The *Review* will be issued this year as a separate bulletin and will consist of contributions by various specialists.

MELVIL DEWEY

*Director*

#### EXPLANATIONS

These must be carefully read to understand the bulletin.

The summary is classified under the general heads shown in the table of contents on the cover and in greater detail on page 818. More comprehensive headings are regularly put first, and in ascertaining what legislation has been passed concerning subordinate heads under the general subject, it is necessary to refer also to the more inclusive heads. Cross references must also be observed.

The index is an alphabetic list of all the specific topics contained in the summary, and refers to each entry by its marginal number. It is necessarily very condensed.

*New* legislation only is included and when this is in the form of amendments only those clauses which add to, or materially change old enactments are cited. In case some part of the former law, still retained, is necessary for clearness, it is printed in ordinary type with new matter in italics.

The citations at the end of each entry are, as a rule, made by state, number of law and date of approval. In Delaware, North Carolina, Ohio and Rhode Island, where the governor's approval is not necessary, the date of final passage by the legislature is given. In the case of bills which are passed over the governor's veto or become laws without his signature by expiration of time, the date of such passage or expiration is given. The laws of several states are without chapter numbers and references are to pages.



## ABBREVIATIONS

## Months

Ja	January	Ap	April	Jul	July	O	October
F	February	My	May	Ag	August	N	November
Mr	March	Je	June	S	September	D	December

## States

Ala.	Alabama	Neb.	Nebraska
Ari.	Arizona	Nev.	Nevada
Ark.	Arkansas	N. C.	North Carolina
Cal.	California	N. D.	North Dakota
Col.	Colorado	N. H.	New Hampshire
Ct.	Connecticut	N. J.	New Jersey
Del.	Delaware	N. M.	New Mexico
Fla.	Florida	N. Y.	New York
Ga.	Georgia	O.	Ohio
Ia.	Iowa	Okl.	Oklahoma
Id.	Idaho	Or.	Oregon
Ill.	Illinois	Pa.	Pennsylvania
Ind.	Indiana	R. I.	Rhode Island
Kan.	Kansas	S. C.	South Carolina
Ky.	Kentucky	S. D.	South Dakota
La.	Louisiana	Tenn.	Tennessee
Mass.	Massachusetts	Tex.	Texas
Md.	Maryland	U.	Utah
Me.	Maine	Va.	Virginia
Mich.	Michigan	Vt.	Vermont
Minn.	Minnesota	W. Va.	West Virginia
Miss.	Mississippi	Wash.	Washington
Mo.	Missouri	Wis.	Wisconsin
Mon.	Montana	Wy.	Wyoming

## Compilations of statutes

Ann. L.	Annotated laws	Crim. S.	Criminal statutes
Ann. S.	Annotated statutes	G. L.	General laws
C.	Code	G. S.	General statutes
C. C.	Civil code	P. C.	Political code
C. C. P.	Code of civil procedure	P. S.	Public statutes
C. L.	Compiled laws	Pen. C.	Penal code
C. P.	Code of procedure	R. C.	Revised code
C. S.	Compiled statutes	R. S.	Revised statutes
Crim. C.	Criminal code	S.	Statutes
Crim. P.	Code of criminal procedure		

## Acts. Resolves

art.	article	pt	part
c. r.	concurrent resolution	r.	resolve
ch.	chapter	subdiv.	subdivision
j. r.	joint resolution	t.	title

## Law reports

A.	Atlantic reporter	S. E.	Southeastern reporter
N. E.	Northeastern reporter	S. W.	Southwestern reporter
N. W.	Northwestern reporter	So.	Southern reporter
P.	Pacific reporter		



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Arizona .....	21 Ja 01-21 Mr 01	60	121	16	137	117
Arkansas .....	14 Ja 01- 4 My 01	110	223	28	251	100
California .....	7 Ja 01-16 Mr 01	69	275	51	326	193
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Idaho .....	7 Ja 01-12 Mr 01	65	84	13	97	64
Illinois .....	9 Ja 01- 4 My 01	116	179	14	193	125
Indiana .....	10 Ja 01-11 Mr 01	61	266	1	267	181
Kansas .....	8 Ja 01- 9 Mr 01	61	420	5	425	166
Kentucky (extra) .....	28 Ag 00-22 O 00	56	5	5	10	5
Maine .....	2 Ja 01-22 Mr 01	80	456	118	574	134
Maryland (extra) .....	6 Mr 01-28 Mr 01	23	19	.....	19	6
Massachusetts .....	2 Ja 01-19 Je 01	169	532	120	652	185
Michigan { (extra) .....	10 O 00-15 O 00	6	6	2	8	2
Michigan { (extra) .....	12 D 00-22 D 00	11	0	0	0	0
Minnesota .....	2 Ja 01- 6 Je 01	156	486	31	517	178
Missouri .....	8 Ja 01-12 Ap 01	95	398	9	407	327
Missouri .....	2 Ja 01-18 Mr 01	76	192	10	202	165
Montana .....	7 Ja 01- 7 Mr 01	60	115	9	124	71
Nebraska .....	1 Ja 01-28 Mr 01	87	122	.....	122	104
Nevada .....	21 Ja 01-16 Mr 01	55	113	18	131	81
New Hampshire .....	2 Ja 01-22 Mr 01	80	.....	.....	293	104
New Jersey .....	8 Ja 01-22 Mr 01	74	209	2	211	183
New Mexico .....	21 Ja 01-21 Mr 01	60	108	21	129	95
New York .....	2 Ja 01-23 Ap 01	112	734	3	737	249
North Carolina .....	9 Ja 01- 4 Ap 01	86	1209	56	1265	155
North Dakota .....	8 Ja 01- 8 Mr 01	60	216	4	220	198
Oklahoma .....	8 Ja 01- 8 Mr 01	60	65	5	70	52
Oregon .....	14 Ja 01-23 F 01	41	213	24	237	124
Pennsylvania .....	1 Ja 01-27 Je 01	178	542	40	582	306
Rhode Island .....	1 Ja 01-29 Mr 01	88	149	104	253	54
South Carolina .....	8 Ja 01-16 F 01	40	155	19	174	70
South Dakota .....	8 Ja 01- 8 Mr 01	60	188	21	209	142
Tennessee .....	7 Ja 01-25 Ap 01	79	497	133	630	124
Texas <sup>a</sup> .....	8 Ja 01- 9 Ap 01	91	148	22	170	66
Utah .....	14 Ja 01-14 Mr 01	60	140	.....	140	132
Vermont .....	3 O 00-28 N 00	57	317	30	347	101
Virginia (extra) .....	23 Ja 01-16 F 01	25	.....	.....	349	32
Wash'ton { (extra) .....	14 Ja 01-14 Mr 01	60	180	39	219	126
Wash'ton { (extra) .....	11 Je 01-12 Je 01	2	9	.....	9	8
West Virginia .....	9 Ja 01-26 F 01	49	154	30	184	97
Wisconsin .....	9 Ja 01-15 My 01	126	470	12	482	331
Wyoming .....	8 Ja 01-16 F 01	40	111	13	124	95
Total .....	.....	.....	.....	.....	14 190	5 482

<sup>a</sup> The legislature of 1901 passed 84 laws revising all existing statutes but these have not been summarized. The session laws are published only in the Revised statutes, 1901.

<sup>b</sup> Recess of 30 days interferred; limit of session 75 days.

<sup>c</sup> The legislature was also in extra session from August 6 to October 1, but a number of the acts were not approved till October 21, and they were not published in time to include them in the present bulletin.

## Public morals

(See also Crimes, 2346; Religious corporations, 1234)

## Family

(See also Family property, 1910; Guardianship, 2163; Charities—children, 4048)

## Marriage

- 1 Parties. First cousins not to marry. Amending C.C.'70 art.95. La. 120, 11 J1 00. *Unconstitutional*. Improperly enacted. State v. Laiche, 29 S. 700.
- 2 Epileptic, imbecile, feeble-minded and insane not to marry except when woman is over 45; penalty. Minn. 234, 11 Ap
- 3 First cousins not to marry; such marriages void after Jan. 1, 1902. Pa. 291, 24 Je
- 4 License. Solemnization. Record. Clerks of probate in counties having 2 judicial districts may issue marriage licenses; records. Ark. 123, 24 Ap
- 5 Abolishing requirement of certificate of justice of peace that colored persons are free, before they may be married. Amending R.O.'93 ch.74. Del. 202, 14 Mr
- 6 Licensed ministers may perform marriage ceremony. Amending G.S.'94 §4771-72. Minn. 261, 11 Ap
- 7 Persons performing marriage ceremony to first receive marriage license from parties; ministers to receive license to perform ceremony on presenting credentials to any district court; regulations. Amending '61 ch. 33. Nev. 6, 18 F
- 8 Abolishing common law marriage; written contract and witnesses required; contract to be filed within 6 months with town or city clerk; marriages not invalid for want of authority of officer solemnizing or for clerical errors. Amending '96 ch.272. N. Y. 339, 12 Ap
- 9 Register of deeds not liable for issuing marriage license unlawfully if reasonable inquiry was made personally or by deputy. Amending C.'83 §1816. N. C. 722, 14 Mr
- 10 Licentiate of denominational body or appointee of bishop serving as priest or minister may solemnize marriages; credentials to be filed with clerk of circuit court. Adding §2331a, 2331b to S.'98. Wis. 30, 5 Mr

## Divorce

- 11 Divorced person [formerly if innocent party] may marry. Amending R.S.'92 §2604. Fla. 79, 3 My
- 12 Divorced person not to marry within 6 months. Minn. 208, 10 Ap
- 13 Misdemeanor to solicit divorce business. Minn. 209, 10 Ap
- 14 Clerks of supreme court to make return to registrar of vital statistics of divorces since June 1, 1858, and hereafter at close of term. Amending P.S. ch.175 §19. N. H. 22, 20 F
- 15 Divorced person not to marry within 3 months. Amending P.C.'90 §2736. N. D. 70, 7 Mr

- 16 Divorced person not to marry within 1 year unless authorized by court. Wis. 271, 2 My
- 17 Grounds. Incurable insanity ground for divorce; procedure; property settlement. Fla. 88, 25 Ap
- 18 Incurable insanity not ground for divorce. Amending R.C.'99 §2737, 2743. N. D. 71, 15 F
- 19 Trials. Procedure. Alimony. Allowing garnishment of public officer or other person to enforce decree in alimony or divorce suits. Fla. 89, 31 My
- 20 In counties of 100,000 when defendant in divorce case does not appear prosecuting attorney shall appear for him; other attorney appearing for defendant may be required to file written authority. Ind. 151, 9 Mr
- 21 Alimony may be drawn from *earnings and income* of husband. Amending G.S.'94 §4807. Minn. 144, 6 Ap
- 22 Unless marriage was solemnized in state and applicant has lived therein continuously since, residence of *1 year* [formerly 6 months] required before application for divorce. Amending R.S.'99 §2989. Wy. 2, 31 Ja
- 23 Change of name. In case of divorce court may *change name of wife at her request*. Amending R.S.'83 ch.60 §17. Me. 151, 26 F

## Support of family

- 24 Misdemeanor for person [formerly husband] to abandon child under 12. Amending '93 p.1 and '97 p.236. Ill. p.1, 11 My
- 25 Felony to abandon wife or child; release on bond for their proper care. Minn. 316, 13 Ap
- 26 Bond of husband arrested for desertion of family need be only for appearance [formerly and to abide all orders, judgments and decrees]. Amending G.S.'95 p.1200 ¶13. N. J. 175, 22 Mr
- 27 Disorderly person sentenced to pay weekly instalment for support of family, to give bond to overseer of poor to abide orders of court. Amending G.S.'95 p.1200 ¶14. N. J. 201, 22 Mr
- 28 Unless incapacitated, man must support wife and minor children; may in lieu of penalty give bond, payable to state, conditioned on support. W. Va. 13, 20 F
- 29 Wife deserted by husband shall have same right to custody of minor child left with her as if its father were dead. Amending S.'98 §3964. Wis. 328, 8 My

## Amusements

(Relating chiefly to *restricted amusements*)

- 30 Gambling. Lotteries. Misdemeanor to keep gambling devices or rent building for gambling; penalties; responsibility of city and town officials; penalty for granting immunity. Ark. 67, 27 Mr
- 31 \$200 penalty for using billard table or slot machine for gaming. Amending G.S.'88 §2562. Ct. 114, 3 Je
- 32 Search warrants may be issued for gambling implements, including slot machines; officer may search garments of suspected persons. Amending '95 ch.9 §1. Ct. 121, 5 Je

- 33 Misdemeanor to maintain or exhibit slot machine or gambling device. Del. 215, 18 F
- 34 Licensed bowling alleys may be kept open till midnight. Supplementing R.S.'83 ch.29. Me. 194, 16 Mr
- 35 Prohibiting wagering contracts in stocks or commodities where no purchase is intended; lack of seller's ownership evidence of wagering contract. Amending '90 ch.437. Mass. 459, 5 Je
- 36 Minors not to frequent billiard rooms. Minn. 313, 13 Ap
- 37 Felony to keep gambling devices or slot machines. Amending R.S.'99 §2194. Mo. p.130, 19 Mr
- 38 Prohibiting gambling; penalties. Repealing '97 p.80. Mon. p.166, 15 Mr
- 39 Referring to next legislature constitutional amendment authorizing incorporation of lottery. *Not repassed by legislature of 1901.* Nev. j.r. 10, 6 Mr 99
- 40 Unlawful to carry on or play nickel in the slot machines or similar gaming devices. Nev. 13, 23 F
- 41 Slot machines declared gambling implements. N. H. 20, 20 F
- 42 Sheriffs to inspect gaming places and saloons quarterly; to close places and bring action against proprietors for violation of law; additional bond; fees; penalties. N. M. 19, 9 Mr
- 43 Policy playing prohibited; penalty for keeper of place 2 years imprisonment or \$1000 fine or both. Amending Pen.C. N. Y. 190, 25 Mr
- 44 Penalty for poolselling, bookmaking, bets and wagers \$1000 or 2 [formerly not less than 1] years imprisonment. Amending Pen.C. 351. N. Y. 636, 2 My
- 45 Penalty for permitting gambling in hotel not less than \$500 [formerly \$10] and imprisonment not less than 6 months [formerly more than 30 days]; forfeiture of license; verified reports of police; duties of mayor. Amending C.'83 §1043. N. C. 753, 15 Mr
- 46 Nickel in the slot machines and other devices with element of chance prohibited; penalty \$10 to \$100; half of fine to go to private prosecutor. Or. p.66, 23 F
- 47 Gambling places declared nuisances. S. D. 143, 8 Mr
- 48 Card playing or betting on card games at public houses or places or other places except private residences prohibited; not necessary to prove betting in prosecution for card playing. Amending Pen.C.'95 §379, 381. Tex. 22, 12 Mr
- 49 Misdemeanor to keep or exhibit for gambling, tables, banks, slot machines, or alleys; fine \$25 to \$100 and imprisonment 10 to 90 days. Tex. 103, 17 Ap
- 50 Misdemeanor to keep or operate slot machine. U. 87, 14 Mr
- 51 Nickel in the slot machines prohibited; penalty \$100. Wash. 140, 18 Mr
- 52 Extending law against gambling to include slot machines and similar devices and all card games; pool and billiard tables to be licensed. Amending R.S.'99 §2178, 2180, 2183. Wy. 65, 16 F

- 53 **Racing.** Misdemeanor to administer drug to domestic animals entered for race or exhibition. Cal. 168, 23 Mr
- 54 **Prize fighting.** Misdemeanor to engage in or be connected with prize fights, boxing or sparring matches; penalty; duties of officials; penalties. Repealing '71 ch.112 §1. Kan. 274, 1 Mr
- 55 Misdemeanor to engage as principal, second or backer in prize fighting or sparring. Tenn. 77, 22 Ap
- 56 Unlawful to engage in pugilistic encounter for money or championship or at which spectators are charged fee, or to abet another in such encounter; definition of prize fight; regulations. Amending C.'99 ch.144 §27a. W. Va. 100, 21 F
- 57 **Shows. Theaters.** Fixing additional tax of \$1000 on theater performance when preference is given in sale of tickets or in admission. Amending '01 ch.128. Tenn. 68, 22 Ap

### Intoxicating liquors. Narcotics

#### Prohibition

- 58 **State.** Witness in investigation of violations of prohibitory law not to disclose evidence or names of persons subpoenaed till defendants have been arrested. Amending G.S.'97 ch.101 §49. Kan. 233, 5 Mr
- 59 **Local option.** Misdemeanor to solicit orders for liquors in prohibited districts; penalty. Ark. 75, 1 Ap
- 60 Amending S.'94 §4862 as to penalties for selling liquors in prohibited districts. Ark. 188, 23 My
- 61 Unlawful to sell liquor in prohibition county or precinct, or in other county without license; penalty imprisonment not exceeding 1 year or fine not exceeding \$1000; sheriffs to investigate violations. Fla. 46, 29 My
- 62 Orders for liquors not to be solicited in prohibition counties. Fla. 49, 31 My
- 63 Elections on local option not to be contested after 6 months from declaration of result; any citizen of state may contest. Fla. 128, 31 My
- 64 At annual town meetings polls to be kept open at least 1 hour for votes on liquor license. Mass. 116, 6 Mr
- 65 Native wines not to be sold in towns voting not to license sale of liquors except on premises of makers. Amending '94 ch.469. Mass. 186, 26 Mr
- 66 C. O. D. shipments of intoxicating liquors to places where sale is prohibited are sales at point of delivery; orders taken where sale is prohibited are sales if subsequently filled. Adding §402a to Pen.C.'95. Tex. 96, 17 Ap

#### Liquor licenses

- 67 **General and miscellaneous.** Sanitary district boards may regulate granting of liquor licenses. Cal. 95, 26 Mr 95. Unconstitutional.  
Subject not embraced in title. In re Werner 62 P.97.
- 68 Misdemeanor to sell, barter or exchange without license intoxicating liquors outside city or town limits. Col. 65, 19 Ap



- 69 On application for new liquor license county commissioners to post notice on specified building for 10 days prior to hearing.  
Ct. 126, 10 Je
- 70 County commissioner may reject application for liquor license in well supplied district; applicant may appeal to superior court.  
Ct. 183, 17 Je
- 71 County judges to publish annually in newspaper statement of money received for state and county licenses; state to pay two thirds and county one third cost of publication. Amending '96 ch.1 §12.  
Fla. 2, 29 My
- 72 Liquor licenses granted for 1 year [formerly for not less than 3 months nor longer than 1 year]. Amending '99 p. 21.  
Id. p.13, 4 Mr
- 73 Unlawful for prosecuting attorney or deputy to act as attorney for applicant or to assist in proceeding to procure liquor license.  
Ind. 133, 9 Mr
- 74 Person buying liquor or druggist need not sign record book of sales, but must sign certificate attached thereto. Amending '96 ch.397 §14.  
Mass. 91, 28 F
- 75 Cities of 50,000 not to issue more than 5 saloon licenses for 1 side of block.  
Minn. 101, 28 Mr
- 76 Name of person to whom property has been transferred to make him eligible to sign license petition not to be counted. Amending R.S.'99 §2997.  
Mo. p.142, 13 Mr
- 77 Liquor licenses must be paid for in advance and are negotiable. Amending P.C. §4063 as amended by '97 p.193. Mon. p.143, 4 Mr
- 78 Liquor licenses in cities of 2000 to 9000 to be granted by county court of common pleas; exceptions. N. J. 184, 22 Mr
- 79 Amending C.L.'97 §4125 as to issue of liquor licenses annually [formerly quarterly]. N. M. 59, 20 Mr
- 80 Amending C.L.'97 §3142 as to use of last preceding U. S. census as basis of population in determining amount of liquor license.  
N. M. 87, 21 Mr
- 81 Person who is surety on more than 1 liquor bond to certify that he is worth \$4000 above incumbrances and other bonds on which he is surety; security or trust company may be only surety on liquor bond. Amending '87 ch.53. Pa. 74, 24 Ap
- 82 2 sureties on liquor bond must be bona fide owners of real estate in county worth \$2000 above incumbrances; security or trust company may be only surety. Amending '91 ch.215.  
Pa. 90, 2 My
- 83 \$100 fine in addition to existing penalties for selling liquor without license.  
Pa. 128, 11 My
- 84 Applications to courts for transfer of liquor licenses to be advertised like original applications; residents may remonstrate. Amending '97 ch.230. Pa. 170, 17 My
- 85 To change date from which liquor license runs courts of quarter sessions may issue temporary license. Pa. 278, 19 Je

- 86 Cities and towns may grant licenses to expire *Dec.* [formerly May] 1; licensed dealers to give as sureties residents of state or authorized surety companies. Amending G.L.'96 ch.102 §2  
R. I. 809 §25, 29 Ja
- 87 License not to be granted to manufacture or distil liquors within 2 miles of church or public school; license of distillery already established may be renewed on petition of majority of resident freeholders. Amending '97 ch.61 §15. S. C. 397, 23 F
- 88 Amending '97 ch.72 as to licenses for sale of liquor; bonds; sales to prohibited persons and by pharmacists. S. D. 141
- 89 Repealing '97 ch.72 §7 ordering county treasurer to transmit \$150 of each liquor license to state treasurer. S. D. 144, 14 F
- 90 Repealing C.'99 ch.32 §66 fixing at \$100 license to retail domestic wines, ale, beer or drinks of like nature. W. Va. 40, 18 F
- 91 Fixing term of state license to retail spirituous liquors or drinks of like nature at theaters or watering places. Amending C.'99 ch.32 §30. W. Va. 67, 22 F
- 92 No manufacturer or dealer in spirituous liquors or drinks of like nature, or officers, directors or stockholders of incorporated company engaged in such manufacture or sale, to be accepted as surety on liquor license bond. Amending C.'99 ch.32 §32.  
W. Va. 68, 22 F
- 93 Selling liquor in less than 5 gallon quantities is retailing; retailer's license fee \$300, wholesaler's \$175; liquor not to be sold within 5 miles of railroad or public work in process of construction on which 25 men are employed; penalty \$150 for each offense; notice of application for license. Amending R.S.'99 §2162-63.  
Wy. 43, 15 F
- 94 Excise boards and officers. In cities of 300,000 license collector to be elected for 4 years at \$3000; bond; powers and duties; deputies and office clerks appointed by collector; duties and compensation; city collector to turn over license books.  
Mo. p.80, 26 Mr
- 95 Town or city council may establish board of excise; judge of court of common pleas to appoint 3 members; term, 3 years; partial renewal; board to have sole power to regulate liquor traffic in town or city; board not to be abolished by council within 5 years.  
N. J. 107, 21 Mr
- 96 Providing excise department in cities over 150,000; 2 commissioners to be elected for 2 years; partial renewal; salary \$1000; commissioners to license and control sale of liquor; appeal from commissioners to court of common pleas. N. J. 204, 22 Mr
- 97 Amending '96 ch.112 as to duties of excise commissioner; local option; posting liquor tax certificate; not to traffic in liquors during prosecution for violation of law; licensed hotels to keep register of guests. N. Y. 640, 2 My
- 98 City common councils, in joint convention every 5th year, to elect 5 license commissioners; town councils may elect 3 commissioners annually in November. Amending G.L.'96 ch.102 §3.  
R. I. 852 §12, 29 Mr

**Regulations and restrictions.** (*See also* Adulteration, 4810)

- 99 Candies containing liquors or syrups with 1% alcohol to be sold as liquors. Ct. 150, 17 Je
- 100 Cities, towns and villages may suppress illegal sale of liquors. S. D. 143, 8 Mr
- 101 Saloons. Saloons to be closed on Sundays and election days. Minn. 292, 13 Ap
- 102 Special places or times prohibited. Liquor not to be sold within 1½ miles of soldiers homes. Ill. p.165, 10 My
- 103 Liquor license not to be granted to house used for prostitution or gambling; license to be revoked if house is so used. Amending R.S.'99 §3024. Mo. p.143, 22 Mr
- 104 Liquor not to be sold within ¼ mile of polling place nor while polls are open; persons attempting bribery or betting, and those convicted of felony not to vote; flag not to be used as emblem on ticket; independent nominations. Amending '96 ch.909. N. Y. 654, 3 My
- 105 \$200 fine for selling liquors within 1 mile of mine except in cities and towns. Or. p.292, 27 F
- 106 Liquor not to be sold within 300 feet of public school. Or. p.398, 28 F
- 107 Liquors, wines or beer not to be sold or given away in capitol or on grounds. Tenn. 107, 16 Mr
- 108 Liquor not to be sold within 10 miles of Indian reservation. U. 57, 14 Mr
- 109 Persons to whom sale prohibited. Repealing S.'94 §1814-16 prohibiting minors from obtaining liquors. Ark. 95, 11 Ap
- 110 On prescription of physician pharmacist may sell liquor to person supported by public charity during preceding 12 months. Amending '84 ch.158. Mass. 87, 27 F
- 111 County commissioners granting license may prohibit sale or gift of liquors to habitual drunkard. Minn. 287, 13 Ap
- 112 Felony to provide Indians with liquor; Indian competent witness in such cases. Nev. 53, 14 Mr
- 113 Liquor or tobacco dealers not to sell to pupils in educational institutions or minors, allow them to engage in games or loiter about establishments; law to be kept posted; penalties. N. M. 3, 18 F
- 114 Liquors not to be sold to minors and women except in licensed taverns and victualing houses. Amending G.L.'96 ch.102 §2. R. I. 809 §25, 29 Ja
- 115 Good faith in sale to habitual drunkard in belief that he was not drunkard bar to recovery on liquor dealers bond. Amending R.S.'95 §5060g. Tex. 136, 27 Ap
- 116 Misdemeanor for minor to remain in place where liquor is sold. Amending R.S.'98 §1249. U. 53, 14 Mr
- 117 Illegal traffic. Prosecutions. Places where liquors are unlawfully manufactured, sold or given away are public nuisances; penalty for maintaining; right of search and seizure; hearing; appeal; power of cities to prohibit by ordinance; enforcement by penalty. Kan. 232, 22 F

- 118 Prohibiting "blind pigs" and devices for unlawfully keeping, selling or using intoxicating liquors; not to be shipped under false names. **Minn.** 252, 11 Ap
- 119 Cities, towns and villages may suppress illegal sale of liquors; gambling places are nuisances. **S. D.** 143, 8 Mr
- 120 Arrest. Seizure. On search warrant peace officers may enter building where liquors are suspected to be illegally sold and make seizures and arrests; officers refusing to make search on affidavit of creditable person to be fined and forfeit commission. Repealing '99 ch.85. **Fla.** 48, 9 My
- 121 For making lawful search for liquor, officer to receive \$1, 10 cents a mile one way for travel and amount paid for assistance. **Vt.** 74, 26 N 00
- 122 Search warrant may be issued in case of alleged violation of liquor law in prohibition town or city. Amending '99 ch.194. **Wis.** 113, 30 Mr
- 123 Intoxication. Inebriates. Commitment of female dipsomaniac or inebriate to state hospital to be same as commitment of insane. **Mass.** 282, 11 Ap
- 124 Habitual drunkard committed by probate court to institution for indigent insane to be treated as other inmates. Amending C.L.'97 §8742. **Mich.** 93, 30 Ap
- 125 Probate judge may order treatment of inebriates in institution at county expense, to be considered as loan; applies to counties of 50,000. **Minn.** 260, 23 Ap 97. *Unconstitutional.* Local legislation shall not be enacted when general law will be applicable. *Murray v. Board of commissioners of Ramsey county*, 84 N. W. 103.
- 126 Tobacco. Opium. Misdemeanor to sell or give cigarette to person under 18 [formerly 16]. Amending '86 ch.72. **Mass.** 373, 6 My
- 127 Misdemeanor to sell or give cigarettes. **Okl.** 13 art.4, 8 Mr
- 128 Misdemeanor to sell or furnish tobacco in any form [formerly cigarettes] to person under 16. Amending '89 p.105. **Pa.** 323, 10 J1
- 129 Misdemeanor to sell or offer for sale or bring into state for sale or gift cigarettes, cigarette paper or substitute. Reenacting '97 ch.30. **Tenn.** 86, 29 Ja
- 130 Misdemeanor to sell or give to person under 21 cigarette paper or wrapper or cigarettes [formerly without written order of parent or guardian]. Amending S.'94 §5156. **Vt.** 102, 27 N 00
- 131 Unlawful to sell or give cigarettes to minors under 18, or for minor to smoke; prosecuting attorney to enforce. Amending '95 ch.70. **Wash.** 122, 16 Mr
- 132 Paper wrapper cigarettes or cigarette paper not to be sold without license; retail, \$10; wholesale, \$50. Amending C.'99 ch.32 §1, 66. **W. Va.** 66, 25 F

## Order. Decency

(See also Crimes, 2846)

- 133 Inhumanity. Extending law for prevention of cruelty to animals; sick and disabled animals to be killed; misdemeanor to dock horse's tail. Amending '74 ch.340. **Cal.** 123, 14 Mr

- 134 Colorado humane society to be state bureau of child and animal protection. Col. 84, 30 Ap
- 135 Public schools to give 2 lessons not less than 10 minutes each a week on humane treatment of animals. Amending '87 p.379. Col. 96, 13 Ap
- 136 Penalties for cruelty to children and animals; rescue of children under 14 from immoral surroundings. Fla. 87, 28 My
- 137 Maximum penalty for docking horse's tail \$300; forbidding importation and requiring registration of docked horses. Mich. 45, 8 Ap
- 138 In cities with municipal police system and not over 3 incorporated humane societies, board of police to appoint special officer for each society; to receive wages of regular policeman; no uniform, but badge of society to be worn. Amending R.S.'99 §6168. Mo. p.73, 25 Mr
- 139 In conviction for cruelty to children judge may suspend sentence if person convicted gives bond to humane society to pay weekly sum for maintenance during minority of child. Amending G.S.'95 p.1717 ¶2. N. J. 125, 22 Mr
- 140 Fines for encouraging fighting of birds or animals on complaints brought by state society for prevention of cruelty to animals, to be paid over to society. Amending G.L.'96 ch.283 §15. R. I. 848, 29 Mr
- 141 Misdemeanor to injure domesticated animal or bird; penalty \$5 to \$100 [formerly not exceeding \$250]. Amending Pen.C.'95 §787. Tex. 121, 19 Ap
- 142 \$100 fine for cutting bone of horse's tail in docking; fines for cruelties to animals to be paid to humane society. U. 140, 26 Mr
- 143 Cows, oxen or bulls not to be transported in same compartment with calves, sheep or swine. Vt. 101, 27 N 00
- 144 Officers and agents of humane society when approved by judge of superior court to act with same authority as police in prevention of cruelty to animals; defying cruelty; misdemeanor to keep fighting animals; abandoned and diseased animals to be killed; misdemeanor to cut bone of horse's tail in docking. Wash. 146, 18 Mr
- 145 Increasing power of state humane society; agents to have certificates; may make arrests, prevent cruelty to animals, provide for or destroy animals; penalty for obstructing agent; minor children not to be ill treated, abandoned, disposed of or employed for rope-walking, street singing or other exhibition purposes or in saloons or dance halls. W. Va. 4, 20 F; 14, 13 F
- 146 Child under 14 not to be employed in bowling alley, barroom or beer garden; owners to keep register of minors employed; consent of factory inspector; \$200 fine or imprisonment for docking horse's tail. Amending '99 ch.274. Wis. 139, 6 Ap; 182, 15 Ap
- 147 Prostitution. Sanitary district boards may suppress disorderly resorts and houses of ill fame. Cal. 95, 26 Mr '95. *Unconstitutional*. Subject not embraced in title. In re Werner, 62 P. 97.

- 148 Houses of ill fame not to be kept within 700 feet of educational institutions, churches or places of amusement; municipal authorities to prohibit or regulate; duties of officers; testimony; jurisdiction. N. M. 84, 21 Mr
- 149 **Obscene literature and advertisements.** Misdemeanor to publish, sell or distribute book, magazine or newspaper publishing principally criminal news or pictures of deeds of bloodshed, lust or crime. Amending S.'98 §4590. Wis. 256, 2 My
- 150 **Sunday observance.** Bootblacks may work Sundays till 11 a. m. Mass. 80, 21 F
- 151 Uncooked meat not to be sold on Sunday. Amending Pen.C. §267. N. Y. 392, 17 Ap
- 152 Railroads may add other cars to complete Sunday train of live stock or perishable freight. Amending '85 ch.92. N. C. 444, 7 F
- 153 Misdemeanor to do barbering on Sunday. Or. p.17, 11 F
- 154 **Disorderly conduct.** Maximum penalty for disorderly conduct or use of profane language on *street railways* \$500 or one year's imprisonment; conductor of train or officer of boat may arrest offenders; maximum penalty for evasion of fare \$20. Amending R.S.'83 ch.51 §73, 74, 78. Me. 153, 26 F
- 155 Misdemeanor to deface public buildings, fences or walls, to enter buildings or inclosures otherwise than as provided for general public or to disturb public meetings; penalties. N. M. 4, 18 F
- 156 Misdemeanor to be intoxicated or disorderly at places of worship. N. C. 738, 15 Mr
- 157 Defining disorderly conduct in public places; defendant may after conviction appeal to court of quarter sessions on giving recognizance in double amount of fine and costs. Amending '95 ch.185. Pa. 100, 2 My
- 158 Defining disorderly conduct on railway cars, in parks and picnic grounds; penalties. Pa. 186, 21 My
- 159 Horse, bicycle or automobile not to be ridden or driven in wilfully reckless manner; penalty. S. C. 433, 1 F
- 160 4th of July celebration, Christmas tree, church or other festival not to be disturbed. Amending C.'90 ch.149 §19. W. Va. 98, 21 F
- 161 **Weapons.** Grand juries to indict and state attorneys to inform against persons carrying concealed weapons; officer to arrest without warrant; \$10. in addition to other costs and fines, for prosecuting officer. Peace officers may carry deadly weapons without giving bond. *Pistol* or rifle not to be carried [formerly or owned] without license. Amending '93 ch.33 §1. Fla. 42-45
- 162 Unlawful to sell, transport for sale or carry, whether concealed or not, pistol under 20 in. long and 3 lb. weight; penalty; judge may suspend sentence. S. C. 435, 20 F
- 163 Repealing '91 ch.69 prohibiting sale of firearms and ammunition to Indians and half breeds. S. D. 129, 8 Mr

## Education

(See also Deaf and dumb, blind, 4079)

### School organization

- 164 **General.** Amending P.C. as to diplomas and recommendations of normal school graduates; powers and duties of state, county and city boards of education; classification of schools; certificates; official educational journal. **Cal.** 229, 23 Mr
- 165 Submitting constitutional amendment allowing legislature to establish high, evening, normal and technical schools and levy tax therefor; income from state school tax to be used entirely for primary and grammar schools. *Vote November 1902.*  
**Cal.** p.948, 7 Mr
- 166 Amending '99 p.306 §§8-9, 31, 35, 42, 45-46 relating to county superintendents, textbooks and free schools. **Id.** p.217, 16 Mr
- 167 District school teacher's contract to require keeping list of pupils, grading and age, number of days present, *aggregate attendance, average daily attendance and percentage of attendance*; school board to provide water supply for pupils. Amending C.L.'97 §§4678-79. **Mich.** 146, 22 My
- 168 Repealing R.S.'99 ch.154 art.6 relating to institutes; enacting new sections as to powers and duties of county boards of education, courses of study, teachers, institutes and summer schools.  
**Mo.** p.246, 9 Mr
- 169 Amending P.C. relating to public schools; trustees may issue anticipatory warrants; disqualified teachers not to be employed; pupils may attend school of neighboring district; school census to be taken in *September* [formerly August]; teachers examinations on *last* [formerly 3d] Fridays. **Mon.** p.121, 14 Mr
- 170 Amending C.L.'97 §1514, 1526, 1549, 1613 as to organization of territorial board of education; examinations and issue of teachers certificates; qualifications of candidates; compulsory institute attendance; application of poll tax and compensation of county superintendents. **N. M.** 27, 14 Mr
- 171 Revision, consolidation and amendment of public school law. 21p. **N. C.** 3-4, 11 Mr
- 172 State free public school system defined. **N. D.** 98, 12 Mr
- 173 Revision of school law. 43p. **Or.** p.23, 20 F
- 174 Providing for uniform system of education; state superintendent to supervise county and high schools, and city and county superintendents, to prepare teachers examinations, to grant state certificates; general county supervision; definition of school corporations; powers and duties of district school boards and teachers; attendance compulsory; unlawful to employ child between 8 and 14 without certificate of 12 weeks school attendance; uniform textbooks to be adopted by county boards; regulations.  
**S. D.** 113, 5 Mr

- 175 Amending '97 ch.118 as to districts, powers of district boards, duties of superintendent of public instruction, state board of education, county superintendents and neglect of parents to send children to school. Wash. 177, 19 Mr
- 176 Amending S.'98 ch.27 relating to common schools; additional branches required for county certificates; transfer and renewal of certificates unlawful; regulations concerning issuing certificates; state aid for graded schools; state superintendent to appoint inspectors. Wis. 439, 15 My
- 177 Meetings. Elections. Suffrage. School election returns to be delivered to county clerk *within 20 days*; clerk to present record at meeting of county court for levying taxes (amending S.'94 §7032-33; in transfer from one school district to another outside county, electors to vote and pay taxes in district transferred to; duties of officers; penalty. Ark. 53, 16 Mr; 194, 23 My
- 178 Legal voters for creating new school districts to vote for school district officers; new districts to have assessed valuation of \$15,000 [formerly \$12,000]. Amending O.S.'99 ch.79 subdiv. 1 §4. Neb. 59, 1 Ap
- 179 Annual meeting of district board of school subdistricts to be on 1st Monday in *June* [formerly July]; separate ballot boxes for women voters at school elections. Amending S.'98 §423a, 521, 541. Wis. 285, 4 My; 416, 14 My

#### Districts. Places of attendance

- 180 Formation. Division. Consolidation of districts. School districts situated partly in different counties to be under joint control of boards of supervisors. Adding §1891 to P.C. Cal. 232, 23 Mr
- 181 Repealing R.S.'92 §244-45; '93 ch.80, 83; '95 ch.15-16 relating to school subdistricts and levying of school district tax. Fla. 116, 31 My
- 182 School districts to be numbered consecutively in counties; district in 2 counties to have only 1 number. Ill. p.297, 10 My
- 183 On petition trustees of adjoining school districts may establish joint district. Ind. 42, 28 F
- 184 When average daily attendance does not exceed 12 pupils, trustee may abandon school district without written consent of majority of legal voters. Ind. 97, 7 Mr
- 185 Trustees to comply with petition of majority of legal voters to abandon and consolidate school districts. Ind. 200, 11 Mr
- 186 On majority vote adjacent school districts may consolidate; procedure; obligations; property; boundaries; transportation of pupils. Kan. 305, 21 F
- 187 On petition of two thirds of residents, district having fewer than 7 persons of school age may be disorganized and attached to adjacent district; regulations. Kan. 307, 25 F
- 188 Repealing provision that no school district contain more than 9 sections of land. Amending C.L.'97 §4646. Mich. 37, 3 Ap
- 189 Amending G.S.'94 §3668 as to notice of hearing on creation of new school districts. Minn. 20, 28 F



- 190 Persons aggrieved in school district formation may appeal to district court. Amending G.S.'94 §3669. Minn. 125, 2 Ap
- 191 Adjoining independent school districts may consolidate on petition of majority of freeholders and vote of electors; boards of education in districts so organized may provide for transportation of children; state aid; regulations. Minn. 262, 11 Ap
- 192 Alteration of school districts involving 2 or more counties to require concurrent action of county commissioners. Amending G.S.'94 §3674. Minn. 371, 13 Ap
- 193 On two-thirds vote village school districts may disorganize; may reorganize under ch.154 art.1. Adding §9865a to R.S.'99. Mo. p.246, 13 Mr
- 194 3 or more common school districts, or village district with less than 200' pupils and 2 or more adjoining districts, may consolidate for primary and high schools. Mo. p.249, 22 Mr
- 195 Adjoining school districts may unite into rural high school district; proposition to be submitted to annual or special school meeting; powers and duties of trustees; maintenance; bond issues. Neb. 64, 1 Ap
- 196 Town or district uniting with others to form supervisory school district may rescind action at annual school meeting. Amending '99 ch.77. N. H. 81, 21 Mr
- 197 When portions of school corporation lie in different townships distinct corporations may be created. Amending R.C.'99 §662. N. D. 189, 5 Mr
- 198 School districts partly in city or village and partly in town are joint districts; procedure to change boundaries. Amending S.'98 §422. Wis. 304, 6 My
- 199 Amending S.'98 §419a as to alteration of boundaries of joint school districts. Wis. 348, 13 My
- 200 Independent municipal districts. State to pay one half salary of superintendent of schools of town or special district [formerly with equalized valuation less than \$2,000,000]; *cities excepted*. Amending '99 ch.77 §3. N. H. 18, 20 F
- 201 Special school districts may be formed in incorporated cities, towns and villages constituting part of district and exceeding 200, and property and indebtedness divided; procedure. N. D. 186, 12 Mr
- 202 Repealing '95 ch.453 constituting cities of 100,000 to 1,000,000 independent school districts and creating board of education therein. Pa. 4, 13 F
- 203 Independent school districts may levy taxes and issue bonds approved by attorney general; on petition of 20 taxpaying voters trustees to hold election to determine levy of taxes; regulations. Tex. 42, 2 Ap
- 204 Independent school districts may be formed of parts of 2 or more counties. Amending '97 ch.113 §1. Tex. 113, 18 Ap
- 205 Submitting constitutional amendment providing for separate control of public school system in cities over 5000. *Adopted November 1900.* U. '99 (not printed in session laws)

- 206 Places of attendance. Conveyance of pupils. Consolidation of schools. Regulating transfer of pupils from one district to another; tuition not to exceed \$2 a month. Ind. 204, 11 Mr
- 207 School boards may send children outside of district for school purposes; regulations. Repealing '95 ch.217. Kan. 306, 25 F
- 208 Superintendent to procure conveyance for scholars of town, *part or whole of distance*, to and from nearest suitable school. Amending '93 ch.216 §3. Me. 203, 19 Mr
- 209 Notice of parent requesting transfer of children to different school district to be attested by signatures of majority of board of district where privileges are desired; transfer to continue till written notification to county superintendent of desired change, or removal. Amending C.S.'99 ch.79 subdiv. 5 §4a. Neb. 62, 1 Ap
- 210 Children resident in school district may attend school regardless of race or nationality; penalty. Amending C.L.'97 §1556. N. M. 78, 21 Mr
- 211 School not to be abolished in district where it is impracticable to convey pupils to central school. Amending '01 ch.77. Pa. 205, 26 Je
- 212 School directors may provide conveyance of scholars [formerly 25% of school money might be so used for scholars living 1½ miles from schoolhouse]. Amending S.'94 §685. Vt. 21, 27 N 00
- 213 Town districts may make contracts with incorporated graded schools for instruction of scholars in higher branches. Amending S.'94 §687. Vt. 22, 20 N 00
- 214 Disagreement as to school child shall attend to be settled by county examiner on *written* appeal by anyone interested; advanced pupils exempt. Amending '98 ch.25 §3. Vt. 23, 22 N 00
- 215 Towns may provide instruction for advanced pupils in high school, seminary or academy of other towns in state. Amending S.'94 §700. Vt. 25, 27 N 00
- 216 Amending S.'98 §430, 524, 526 as to suspension of schools in sub-districts and transportation of pupils to and from other schools. Wis. 351, 13 My

**Officers. Boards**

- 217 Boards of education under special acts to have powers of trustees, *of school directors and boards in districts of from 1000 to 100,000*. Amending '97 p.289. Ill. p.293, 10 My
- 218 Candidate for school trustee to file name with *county clerk* [formerly clerk of board of trustees] 5 days before election. Amending '99 ch.88. Nev. 44, 12 Mr
- 219 Boards of school trustees to have powers necessary to welfare of schools; may make and enforce sanitary regulations and discipline; county boards of education in control of high schools to have same powers; indigent children. Nev. 92, 20 Mr
- 220 County school superintendents may convene annually presidents of district boards or appointed representatives; compensation for attendance. Amending R.C.'99 §641, 681-82. N. D. 84, 5 Mr

- 221 Member of board of education may be removed from office for cause; county circuit court may hear charge without jury; resulting vacancies to be filled by county and circuit courts or judges thereof. Amending C.'99 ch.7 §7. **W. Va.** 102, 16 F
- 222 Board of school directors may provide by resolution for payment of employees; pay roll to be certified by president, secretary and finance committee of board. Amending '99 ch.58. **Wis.** 130, 1 Ap
- 223 **State.** Public school superintendent to assume control of free public schools established by gifts. **Me.** 135, 2 F
- 224 State school superintendent to perform duties imposed by charters granted to educational institutions. Supplementing R.S.'83 ch.11 §104. **Me.** 272, 22 Mr
- 225 Superintendent of public instruction to distribute report; may publish state course of study for district schools, institute outlines and educational bulletins. Amending '99 ch.44 §11. **Mich.** 31, 28 Mr
- 226 Abolishing present state board of education and providing for appointment of new board by governor; 16 members; term 5 years; partial renewal. Amending '00 ch.96. **N. J.** 133, 22 Mr
- 227 Amending G.L.'96 ch.51 §3 as to time and manner of election of members of state board of education by assembly. **R. I.** 809, §9, 29 Ja
- 228 State board of education to report to assembly *at January session* [formerly adjourned session in Providence]. Amending G.L.'96 ch.51 §13. **R. I.** 809, §10, 29 Ja
- 229 Expenses of state superintendent of public instruction to be reported *monthly* [formerly quarterly] and paid quarterly. Amending R.S.'98 §1780. **U.** 24, 5 Mr
- 230 \$200 annually for state superintendent of education to issue circulars of information. **Vt.** 16, 27 N 00
- 231 Secretary of commonwealth to turn over reports of superintendent of public instruction to the department of public instruction. **Va.** 103, 13 F
- 232 Amending '99 ch.142 as to various duties of superintendent of public instruction. **Wash.** 41, 1 Mr
- 233 Duties of superintendent of public instruction and state board of education. **Wash.** 177, 19 Mr
- 234 Decisions of state superintendent to be final unless action for review begun within 30 days. Adding §497a to S.'98. **Wis.** 184, 15 Ap
- 235 Appointing commissioner to prepare courses of study in agriculture, domestic economy and manual training for public schools; salary \$3800. **Wis.** 199, 19 Ap
- 236 Submitting constitutional amendment providing for election of state superintendent of public instruction by voters when judicial officers are elected. *Vote November 1902.* **Wis.** 258, 2 My
- 237 **County.** In counties exceeding 65,000 salary of superintendent of public instruction \$1800. **Kan.** 190, 26 F
- 238 County superintendent of public instruction to receive \$1 a school annually for visiting schools; also expenses for stationery, postage, freight and express. **Kan.** 191, 5 Mr

- 239 Term of office of county commissioner of schools  $\frac{1}{2}$  [formerly 2] years. Amending C.L.'97 §4809. Mich. 35, 29 Mr
- 240 Powers and duties of county boards of education. Mo. p.246, 9 Mr
- 241 If salary of county school superintendent does not exceed \$1200 county commissioners may allow \$250 for expenses. Minn. 341, 13 Ap
- 242 Exempting from penalty persons who have held offices of county commissioner and member of board of education at same time. N. C. '01 ch.323. *Unconstitutional*. Takes property without due process of law. *Dunham v. Anders*, 38 S.E. 832.
- 243 Repealing '90 ch.34 as to compensation of county school superintendents. N. M. 14, 6 Mr
- 244 Salaries of county superintendents \$10 each for first 100 schools, \$5 for each additional school up to 200, and \$2 for each school above 200; in counties of 1200 square miles or  $7\frac{1}{2}$  months school, salaries not to be less than \$1500. Amending '78 ch.41. Pa. 169, 17 My
- 245 County superintendent may purchase state map for each public school. Tenn. 170, 22 Ap
- 246 County superintendent may appoint 4 members who shall with him constitute board of examiners for grammar schools; to examine pupils who desire grammar school certificates of graduation; fees \$3 a day. Wash. 49, 6 Mr
- 247 County superintendent not to teach during term of office; compensation in different counties; duties in relation to institutes; allowance to teachers attending institutes; bond of county superintendent to be \$1000 [formerly \$500]; annual report. Amending C.'99 ch.45 §53-54. W. Va. 69, 22 F
- 248 County board *shall* [formerly may] allow county superintendent travelling expenses; in counties with 2 districts, money for such expense to be voted by members of county board from each district. Amending S.'98 §461d. Wis. 52, 16 Mr
- 249 In districts of 100 schools, superintendent may with consent of county board appoint deputy. Wis. 321, 8 My
- 250 Superintendent of county of valuation exceeding \$5,000,000 to receive \$900 [formerly \$600]; counties of \$2,500,000 to \$5,000,000, \$750 [formerly \$500]; counties of \$1,400,000 to \$2,500,000, \$600 [formerly \$400]; counties under \$1,400,000, \$500 [formerly \$300]; traveling expenses paid. Amending R.S.'99 §1191. Wy. 18, 11 F
- 251 County superintendent to divide county into school districts. Amending R.S.'99 §1195. Wy. 20, 12 F
- 252 County superintendent may *recommend dismissal of* [formerly *dismiss*] teachers; must prefer charges and file with trustees who shall give hearing. Amending R.S.'99 §1196. Wy. 56, 16 F
- 253 Township, district and municipal. *Independent* school districts to pay premium on bonds of treasurer and one half premium on bonds of other officers; *county to pay premiums on county assessors' and tax collectors' bonds given for protection of city or independent school district*. Amending '99 p.337. Id. p.293, 21 Mr

- 254 Providing for election of commissioners and authorizing them to issue bonds in cities of 30,000 by census of 1870. Ind. R.S.'81 §4457. *Unconstitutional*. Local laws for support of common schools not to be passed. *Campbell v. City of Indianapolis*, 57 N. E. 920.
- 255 Changing title of assessor of district to treasurer; districts with 40 to 50 children of 5 to 20 may have indebtedness of \$750. Amending C.L.'97 §4666-771. Mich. 165, 27 My
- 256 2 members of school boards in cities under 50,000 to be elected from each ward; term 2 years; regulations. Minn. 285, 13 Ap
- 257 Amending '00 ch.96 as to number and term of office of members of city boards of education; elective and appointive boards; referendum. N. J. 98, 21 Mr
- 258 School directors to hold office 3 years; 1 to be elected annually. N. M. 55, 19 Mr
- 259 School district treasurers to give bond; amount; premium to be paid from general fund of district. N. D. 187, 8 Mr
- 260 School district treasurer to give bond in double amount received yearly; duties; to receive school district money from county treasurer on order of district clerk and director; provisions for paying warrants; annual report to be examined by county superintendent of public instruction; felony to refuse to pay over money to successor. Okl. 28 art.8, 4 Mr
- 261 Trustees in independent school districts, not in city or town having assessor and collector, to elect 1 from their number; assessor to have power of city marshal; to receive not exceeding 4% for collection. Amending '00 ch.7 §4. Tex. 111, 18 Ap
- 262 Correcting error in reference in regard to powers of trustees. Amending R.S.'98 §1815. U. 37, 13 Mr
- 263 Members of boards of school directors may be appointed town superintendents. Amending '96 ch.19 §1. Vt. 17, 20 N 00
- 264 Board of education to be paid for not over 7 [formerly 6] days in 1 year; 1 day to be spent at teachers institute. Amending C.'99 ch.95 §6. W. Va. 70, 21 F
- 265 Electors at annual town meeting may limit number of days for which secretary of township school board may receive compensation; shall also elect committee of 3 taxpayers to audit district accounts. Amending S.'98 §523. Wis. 160, 11 Ap  
Districts [formerly 1500 population] spending \$4000 annually [formerly in 1898] may have board of 7 members. Amending '99 ch.317. Wis. 205, 23 Ap
- 266 District school board may fill vacancies therein. Amending R.S.'99 §548. Wy. 58, 16 F

**Buildings. Grounds. Property.** (See also Debts, 323)

- 267 **Construction. Sites. General.** Districts under special charters may issue bonds for school buildings or sites. Ill. p.294, 10 My
- 268 Amending '99 ch.105 as to issue of 5 year 6% bonds for building schoolhouse, annual settlement of trustee with advisory board and publication of trustees financial report. Ind. 165, 11 Mr

- 269 Municipal officers may lay out schoolhouse lot not exceeding 3 acres [formerly 100 square rods]; aggrieved owner may apply to county commissioner within 6 months [formerly 1 year]. Amending R.S.'83 ch.11 §57, 58. Me. 211, 19 Mr
- 270 Repealing P.S.'82 ch.44 §48, 49 providing for taking land for school purposes. Mass. 250, 4 Ap
- 271 District may issue bonds to build or complete school buildings on sites owned by district. Amending '90 ch.103 §1. Repealing '97 ch.359. Minn. 5, 14 F
- 272 Land exceeding [formerly not exceeding] 1 acre may be taken for schoolhouse site. Amending '94 ch.556. N. Y. 480, 22 Ap
- 273 On petition of persons having custody of 8 children stables and hitching posts to be provided on rural school site. N. D. 188, 12 Mr
- 274 Prescribing manner of condemning school site. Okl. S.'93 §5776. *Unconstitutional*. Does not provide for specific notification of person whose property is condemned and takes property without due process of law. Aldredge v. School dist. no. 16, 65 P. 96.
- 275 Sanitation. Boards of health to inspect sanitary condition of schoolhouses; may make rules for preservation of public health therein. Wis. 225, 26 Ap
- 276 U. S. flag. U. S. flag to be displayed on public school buildings; school committees to regulate time; each Feb. 12 to be Grand Army flag day; public school commissioner to prepare program. R. I. 818, 21 F
- 277 Board of education may provide for and require display of U. S. flag over schoolhouses. W. Va. 12, 22 F

## General school finance

- 278 State taxes. (See also State finance. 1346) Fixing amount of state and school tax levies. Amending P.C. §3713. Cal. 188, 23 Mr
- 279 State tax of 3 mills to be levied annually 1901, 1902; constitutional school tax 1 mill; governor may reduce; county commissioners to levy tax not exceeding 5 mills for county and 5 mills for county school purposes; special taxes allowed. Fla. 3, 30 My
- 280 Tax of 8 [formerly 5] cents on dollar to be assessed annually on grand list for support of public schools. Amending S. '94 §758. Vt. 30, 27 N 00
- 281 Funds. Lands. (See also Public lands. 1409) Amending S.'94 ch.139 as to time of meeting of commissioners of school funds, apportionment of revenue to counties and annual report of superintendent. Ark. 117, 23 Ap
- 282 Title to lands held by state for educational purposes to be conveyed by deed executed by state board of education, with seal of department of agriculture attested by commissioner of agriculture. Fla. 115, 22 My
- 283 Sale of school lands in townships of 10,000 to be petitioned for by one tenth voters and authorized by two thirds popular vote. Amending R.S.'90 ch.122 §249. Ill. p.298, 10 My

- 284 \$3,500,000 a year for revenue fund; \$1,000,000 for state school fund in lieu of 2 mill tax. Ill. p.268, 10 Mr
- 285 Regulating loaning common school fund, congressional township school fund, university endowment fund; not exceeding \$4000 loaned to one person; counties may borrow school funds. Ind. 94, 7 Mr
- 286 Paid school fund mortgages released. Ind. 234, 11 Mr
- 287 Appraisalment and reappraisalment of school lands for less than \$1.25 [formerly \$3] an acre invalid. Amending G.S.'89 §5767, 5783. Kan. 350, 1 Mr
- 288 Academies giving secondary instruction to receive from state \$500 to \$1000; conditions; towns providing free tuition to receive state aid. Me. 148, 26 F
- 289 Proposing constitutional amendment regulating purchase of bonds with permanent school and university fund. *Vote November 1902.* Minn. p.iv, 28 F
- 290 County school fund to be invested at interest from  $\frac{1}{4}\%$  [formerly 5% to 8%]. Amending R.S.'99 §9824. Mo. p.244, 22 Mr
- 291 Submitting constitutional amendment to define status of state certificates of indebtedness held in trust for public school and seminary funds and to provide for perpetuation, interest and future investments. *Vote November 1902.* Mo. p.261, 18 Mr
- 292 State treasurer with consent of state land commissioners may invest permanent school or land grant funds in local 20 year 5% bonds; local bond issues to be first offered to him; penalty. Mon. p.15, 16 Mr
- 293 \$100,000 annually to extend school term in each district to 4 months; state board to apportion; surplus; reports. N. C. 543, 11 Mr
- 294 Fixing amount of literature fund distributed to academic schools. Amending '95 ch.341 §2. N. Y. 498, 23 Ap
- 295 Land commissioner to prepare bonds for investment of permanent school fund; to act under board of university and school lands; records; reports. Amending R.C.'99 §182. N. D. 116, 7 Mr
- 296 Sinking funds of special school districts to be invested in state or U. S. bonds or prescribed first mortgages on farm lands; procedure. N. D. 190, 13 Mr
- 297 Increasing fees collected at lease and sale of school lands. Amending R.C.'99 §234b. N. D. 191, 7 Mr
- 298 Notice of lease of school lands may be given by general advertisement. Amending R.C.'99 §220. N. D. 192, 12 Mr
- 299 State school land mortgages may be foreclosed or assigned; procedure. Amending R.C.'99 §176. N. D. 193, 12 Mr
- 300 Referring to next legislature amendment to §162 art.9 of constitution authorizing school funds to be invested in municipal bonds. *Not repassed by legislature of 1901.* N. D. p.261, 99
- 301 15% of rental to be refunded to school districts in which indemnity land is located; county superintendent to furnish district maps to school land office and territorial treasurer. Okl. 28 art.7, 8 Mr

- 302 Submitting constitutional amendment to change rate of interest on educational funds to 5% [formerly 6%]. *Vote November 1902.*  
S. D. 88
- 303 State treasurer and auditor to transfer to common school interest and income fund moneys of fish fund; fines for violation of state laws to be placed in school fund. School funds to be invested in bonds of school corporations, *state, county and municipal bonds*, or first mortgages on farm lands; farm loans not to exceed \$1000 [formerly \$500] to any person, *firm or corporation* nor one half *assessed* value of lands.  
S. D. 130, 178, 15 F
- 304 State may invest permanent free school fund in independent school district bonds; regulations. Amending '99 ch.87.  
Tex. 135, 25 Ap
- 305 State treasurer to pay annually to treasurer of towns not electing trustee, and to treasurers of school districts in unorganized towns and gores interest at 3% on shares of U. S. deposit money apportioned to them. Amending S.'94 §742. *Vt. 29, 23 N 00*
- 306 State treasurer to transfer from state general to school fund sufficient money to pay interest on state bonds belonging to school fund. Amending '99 ch.44.  
Wash. 179, 13 Mr
- 307 Submitting constitutional amendment to stop accumulation of school fund at \$1,000,000. *Vote November 1902.* W. Va. 153, 22 F
- 308 Transferring sums from educational funds to educational fund income.  
Wis. 150, 8 Ap
- 309 State aid for high schools \$1000 [formerly \$800], for graded schools \$400 [formerly \$200], for semigraded schools \$200 [formerly \$100] and for rural schools \$100 [formerly \$75]. Amending '99 ch.352.  
Minn. 189, 9 Ap
- 310 Apportionment. Amending '00 ch.96 as to school funds; state fund to be apportioned according to *attendance* [formerly school census]; state school tax and appropriation to be equal to 2% mills on dollar of assessed valuation [formerly \$5 for each child between 5 and 18].  
N. J. 179, 22 Mr
- 311 County school superintendent before apportioning county school fund to apportion to cities over 5000 their per capita proportion, and set aside amount needed to meet his expenses on official visits. Amending R.S.'98 §1867.  
U. 51, 14 Mr
- 312 Amending S.'94 §848 as to division of school moneys between incorporated and town districts.  
Vt. 19, 27 N 00
- 313 Amending S.'98 §558 relating to apportionment of school money; no district to receive public money unless maintaining common school by legally qualified teacher 7 months annually.  
Wis. 450, 14 My
- County, district and municipal finances**
- 314 Common school corporations may acquire property by gift; principal to be kept inviolate.  
Ind. 241, 11 Mr
- 315 Amending '99 ch.89 §2-4 relating to schooling of children in unorganized townships; state superintendent to pay for each scholar *his proportional part of cost of school*; duties of superintendent; \$2500 [formerly \$1500] appropriated.  
Me. 206, 19 Mr



- 316 County school tax levied under act now repealed to be distributed to districts where assessed. Minn. 57, 16 Mr
- 317 By vote at meeting school district board may be authorized to borrow money. Wis. 40, 9 Mr
- 318 **General. Accounts. Miscellaneous regulations.** State auditor to examine annually school district accounts and report to trustee of school fund; districts to report number of teachers employed; trustee to divide income of school fund and state appropriations according to number of teachers employed; regulations. Del. 112, 16 Mr
- 319 Controller of county accounts to supervise financial affairs of truant schools according to '87 ch.438. Mass. 110, 5 Mr
- 320 School board to make settlement with district treasurer 2d Tuesday in July [formerly succeeding regular meeting]; if board or treasurer does not publish itemized statement of receipts and expenditures by Sep. 1, county superintendent to publish it. Amending R.C.'99 §717. N. D. 86, 7 Mr
- 321 Town treasurer on 2d [formerly last] Monday of June to certify to clerk of each school district amounts paid district treasurer. Amending S.'98 §468. Wis. 119, 30 Mr
- 322 \$25,000 [formerly \$10,000] of trust funds may be loaned to school district for 15 years at 3½% payable annually. Amending '99 ch.129. Wis. 123, 1 Ap
- 323 **Debts.** School district bonds may run 20 [formerly 10] years. Amending P.C. §1882. Cal. 130, 14 Mr
- 324 School board may submit to *qualified* electors who are freeholders or *householders* [formerly heads of families] and *their wives* question of issuing bonds bearing not exceeding 6% [formerly 8%] interest for schoolhouse. Amending '99 p.102. Id. p.12, 1 Mr
- 325 School trustees to repay borrowed money by tax levy or by issue of 10 year 6% bonds. Mon. p.3, 19 F
- 326 Amending P.C. §1810, 1962 relating to issue of school district bonds. Mon. p.124, 14 Mr
- 327 Municipalities may make temporary loans for sums expended by board of education in anticipation of funds. N. J. 12, 27 F
- 328 Cities and towns may refund outstanding school bonds; regulations. N. M. 103, 21 Mr
- 329 Not exceeding \$1000 in school bonds to be issued for any one schoolhouse except in *districts*, towns and villages of more than 200. Amending R.C.'99 §777. N. D. 40, 6 Mr
- 330 Boards of education may call election and submit to voters propositions to issue bonds for educational purposes; regulations. S. D. 84, 15 F
- 331 School district bonds including indebtedness not to exceed 4% of valuation of district; bonds to be for not less than 5 nor more than 20 years. Amending R.S.'98 §1884-85. U. 17, 2 Mr
- 332 Bonds issued by districts for school sites and buildings not exceeding 5% of taxable property may be refunded at par. Amending Ballinger's Codes '97 §2394. Wash. 104, 16 Mr

- 333 **Apportionment.** Free high school funds in counties to be distributed among districts according to number of nonresident pupils and period of instruction. Neb. 65, 1 Ap
- 334 County superintendent to notify district treasurers of *tuition* [formerly money] and other school moneys in county treasury due each district. Amending R.C.'99 §715. N. D. 58, 5 Mr
- 335 **Investment of funds.** Township school fund to be invested at 4% to 8% [formerly 6% to 10%]. Amending R.S.'99 §9831. Mo. p.245, 22 Mr
- 336 **Taxes.** Taxpaying parent or guardian of child in district of 100,000 to which child is transferred to be credited with school tax on tuition. Ind. 223, 11 Mr
- 337 School districts over 50,000 may levy school tax of 3 [formerly 1½] mills, 2 1-2 [formerly 1] mills for general maintenance. Amending '99 ch.27. Minn. 30, 11 Mr
- 338 Submitting constitutional amendment; for school purposes in districts composed of cities of 100,000 annual rate not to exceed 60c, and in other districts 40c. Amending art.10 §11 concerning taxation. Vote November 1902. Mo. p.266
- 339 School tax 2 [formerly 3 to 5] mills; tax for special fund not to exceed 5 [formerly 10] mills; decided by school board [formerly by electors]. Amending '97 p.129. Mon. p.12, 9 Mr
- 340 School tax in cities over 40,000 [formerly 25,000] not to exceed 20 [formerly 15] mills. Amending C.S.'97 ch.79 subdiv.14 §24. Neb. 69, 29 Mr
- 341 Selectmen of town to assess \$600 [formerly \$500] school tax for each dollar of public taxes apportioned to town. Amending P.S.'01 ch.88 §1. N. H. 92, 22 Mr
- 342 Amending C.L.'97 §1537 as to minimum tax levy for school purposes. N. M. 21, 12 Mr
- 343 County commissioners to levy school tax on all taxable property in county [formerly except in cities over 5000]. Amending R.S.'98 §1865. U. 50, 14 Mr
- 344 School taxes to be returned when judgment for taxes unlawfully collected has been obtained against county. Amending R.S.'98 §2685. U. 79, 14 Mr
- 345 School district trustees may levy tax to pay judgment for taxes illegally collected. U. 123, 23 Mr
- 346 For buildings and sites in cities school tax not to exceed 1½ mills on \$1 valuation; for 1901 total school tax may be 7 mills, thereafter rate not to exceed 5½ mills. Amending R.S.'98 §1936. U. 127, 25 Mr
- 347 Special levies for school purposes not to exceed in aggregate 30c on \$100 valuation of taxable property in district. Amending C.'99 ch.45 §45. W. Va. 72, 22 F
- 348 Cities under 40,000 may levy annual school tax of 3 1-2 [formerly 1½] mills. Amending '99 ch.81. Wis. 387, 13 My

## Teachers

- 349 **Employment. Pay.** Public school directors not to employ as teachers persons related to them within 4th degree, except on petition of two thirds of patrons; penalty. **Ark. 205, 23 My**
- 350 Members of family of school officer to be ineligible for teachers in district except by unanimous vote of board; liability of officer. **Kan. 304, 5 Mr**
- 351 District school board not to hire member as teacher; assessor to file bond with 2 *resident* sureties or of authorized surety company. Amending C.L.'97 §4678, 4691. **Mich. 62, 12 Ap**
- 352 District school teacher's contract to require keeping list of pupils, *grading*, and age, number of days present, *aggregate attendance*, *average daily attendance* and *percentage of attendance*. Amending C.L.'97 §4678, 4679. **Mich. 146, 22 My**
- 353 Orders for teachers' wages unpaid for want of funds to bear 7% interest till paid; to be presented for payment. Amending '94 §3711. **Minn. 350, 13 Ap**
- 354 Contracts made with teachers before annual board meeting invalid unless agreed to and signed by 2 members not related to teacher. Amending C.S.'99 ch.79 subdiv.4 §11. **Neb. 60, 30 Mr**
- 355 Persons afflicted with tuberculosis not to be employed as teachers; certificate of good health to be required; fee; penalty. **N. M. 43, 18 Mr**
- 356 School teachers to be paid monthly. **N. M. 57, 19 Mr**
- 357 Misdemeanor for school trustees to employ teacher not of race represented by school. **Tenn. 108, 18 Mr**
- 358 Teacher resigning without giving board 30 days notice to have certificate revoked on notice of board and be disqualified from teaching for remainder of year; exceptions. **Wash. 126, 16 Mr**
- 359 Prescribing degrees of relationship preventing trustee of subdistrict from participating in appointment of teacher; felony for trustee to take bribe. Amending C.'99 ch.45 §13. **W. Va. 71, 16 F**
- 360 **Salaries.** Daily wages of public school teachers to be not less than 2½% multiplied by general average of scholarship on license at time of contracting; penalty \$100. **Ind. 245, 12 Mr**
- 361 Teachers with 1st grade certificates to be paid not less than \$30 [formerly \$25] a month; 2d grade, not less than \$25 [formerly \$22]. Amending C.'99 ch.45 §6. **W. Va. 70, 21 F**
- 362 **Pensions.** Amending '97 ch.169 relating to teachers annuity and retirement fund; classification of annuitants; suspension of annuities; regulations. **Cal. 230, 23 Mr**
- 363 Public school teacher or employee released from payments to pension fund by filing written notice. Amending '95 p.312. **Ill. p.300, 11 My**
- Qualification. Examinations. Certificates**
- 364 Amending '99 p.217 relating to uniform examination of public school teachers; times of examinations; fees; grades of certificates; papers to be kept on file 6 months. **Ala. p.114, 8 F**

- 365 County or city and county boards of education may issue life certificates to teach; conditions. Amending P.C. §1778.  
Cal. 227, 23 Mr
- 366 Candidates for teachers certificates dissatisfied with gradings may file appeal and fee of \$5 with county superintendent; state superintendent to submit papers to committee of 3 for regrading; decision final. Amending '93 ch.78 §13. Fla. 109, 22 My
- 367 County superintendent to issue certificates entitling teachers who have taught in state 20 years prior to Jan. 1, 1900, to teach in primary and intermediate grades without further examination.  
Fla. 111, 30 My
- 368 Felony to forge certificate or license of school commissioner or board.  
Ga. p.69, 18 D 00
- 369 County board of examiners for teachers certificates to be appointed annually by county commissioners; qualifications; compensation. Amending '85 ch.175 §1. Kan. 303, 6 Mr
- 370 3d grade teachers certificates to require examination in 1st grade subjects except bookkeeping, natural philosophy and civil government; to be issued to candidates averaging 70% and not below 60% in any branch. Amending '85 ch.175 §5. Kan. 394, 1 Mr
- 371 Persons who hold or have held within preceding 3 years 2d grade certificate and have taught 9 months eligible for school examiner.  
Mich. 43, 8 Ap
- 372 Abolishing special examinations for 3d grade teachers' certificates; teachers to be 18 [formerly 17]; papers for 2d grade may be sent to other counties and accepted; renewals of 1st grade not restricted to county; applicant for 1st grade may have papers reviewed by state superintendent; examinations in cities; certificates not granted to foreigners; regulations. Amending C.L.'97 §4811-20. Mich. 99, 1 My
- 373 3 years certificate course in state normal school to entitle to 1st grade teacher's certificate. Amending '99 ch.101.  
Minn. 160, 6 Ap
- 374 2 grades of teachers certificates; 21 subjects required for 2d grade; optional subjects to be arranged by state superintendent or examining board; state superintendent may issue permits to experienced teachers lacking not more than 3 subjects. Amending G.S.'94 §3749. Minn. 367, 13 Ap
- 375 After July 1, 1903, 2d grade certificate examinations to include elements of agriculture, structure and habits of common plants, birds, insects and quadrupeds. Amending C.S.'99 ch.79 subdv.7.  
Neb. 66, 29 Mr
- 376 State board of education not to grant temporary certificates. Amending '99 ch.78 §4. Nev. 23, 2 Mr
- 377 Repealing laws granting immunity from examination for license to teach in public schools. State board of education may review rules of state board of examiners. N. C. 535, 565, 11 Mr
- 378 Amending R.C.'99 §736, 740-43 relating to teachers examinations and qualifications and issuing of certificates; papers to be marked by state superintendent of public instruction.  
N. D. 85, 14 F

- 379** Board of education may accept grades from institutions with courses equal to those of territorial normal schools.  
Okla. 28, art.11, 8 Mr
- 380** After June 1902 teachers to be examined in civil government and algebra; teacher taking opium not to be licensed. Amending '67 ch.35 §11. Pa. 175, 21 My
- 381** Misdemeanor to traffic in examination questions to be used in teachers examinations. Tex. 109, 18 Ap
- 382** State board of education to prepare uniform questions to be used by county superintendents in teachers examinations. County teachers examinations to be held under such rules and at such times as *state board of education* [formerly chairman of county board of examiners] may direct. Amending R.S.'98 §1795. U. 94-96, 14 Mr
- 383** County school superintendent with approval of board of county commissioners to appoint 2 persons board of examiners who may be removed by board on recommendation of superintendent. Amending R.S.'98 §1794 U. 117, 23 Mr
- 384** When number of schools exceeds 150 county superintendent to divide district into 4 examination districts and hold 1 [formerly 2] examination annually in each, and 3 other examinations at county seat. Amending S.'98 §461. Wis. 290, 4 My
- 385** In cities under 40,000 school superintendent to examine and license teachers. Wis. 316, 8 My
- 386** Amending R.S.'99 §627-29, 631 relating to teachers examinations; subjects for 1st grade certificate; to run 4 [formerly 2] years; state certificate to run 10 [formerly 5] years; state board to prepare and distribute questions to counties; superintendent to grade on basis of 100. Wyo. 57, 16 F
- 387** Higher certificates. Graduates. Holders of diplomas or certificates from Alabama state normal or other school or college to pass state examination before teaching. Repealing C.'96 §3586. Ala. p.91, 13 D 00
- 388** Professional teachers certificate to be for 10 [formerly 4] years; 1st grade, for 5 [formerly 2] years; 2d grade, for 2 [formerly 1] years; provisional certificates not to be issued. Amending '98 ch.67 §24. Del. 113, 28 Mr
- 389** Regulating requirements for state teachers certificates. Id. p.30, 14 Mr
- 390** Holder of certificate issued or approved by state board of education to file with commissioner of county where desiring to teach. Adding §828a to C.L.'97. Mich. 153, 22 My
- 391** Graduate holding degree of bachelor of arts or bachelor of science from college or university incorporated under state law and recommended by superintendent of public instruction to be accredited as qualified teacher; certificates to be countersigned by state superintendent after 3 years of successful teaching. Amending C.S.'99 ch.79 subdiv.9 §1a, b. Neb. 68, 30 Mr

- 392 State board of education may issue life diploma to person graduating before Sep. 1, 1899, from normal school or chartered institution. Or. p.160, 27 F
- 393 Normal school diploma and permanent certificate granted in other states to be valid in Pennsylvania if accompanied by recommendations of 2 years successful teaching; to be indorsed by superintendent of public instruction; reciprocal provisions. Pa. 150, 11 My
- 394 School directors of township over 4000 may elect teacher with life certificate or normal school diploma to be supervising school principal. Pa. 292, 25 Je
- 395 Teacher with state certificate to notify *clerk of school board* [formerly town superintendent]; failure makes contract void. Amending S.'94 §661. Vt. 20, 22 N 00
- 396 Amending S.'94 §659 as to granting certificates to academy and high school graduates. Vt. 24, 27 N 00
- 397 Diploma from University of Wisconsin with certificate of pedagogic instruction entitles holder to license to teach 1 year in public schools. Amending S.'98 §458h. Wis. 171, 18 Ap
- Institutes. Training classes. Summer schools. Associations**
- 398 \$1 fee of applicants for teachers certificate to constitute normal institute fund; to be apportioned among normal institute districts. Col. 97, 25 Mr
- 399 \$150 [formerly \$100] annually for colored teachers state institute; Kent county superintendent to make arrangements for and attend institute. Del. 116, 9 Mr
- 400 \$2000 annually for 1901 and 1902 for teachers summer schools; instruction for teachers of both races; duties of state superintendent; report to general assembly. Fla. 112, 30 My
- 401 Proceedings of state teachers association to be printed. Ill. p.300, 11 My
- 402 On average attendance of 75 at 5 days county teachers institute county auditor to draw warrant for \$100 for expenses. Amending R.S.'81 §4521. Ind. 21, 25 F
- 403 County commissioners *shall* [formerly may] appropriate for support of teachers institutes sum *fixed by county superintendent* [formerly as they deem necessary]. Amending G.S.'97 ch.163 §191, 195. Kan. 267, 25 F
- 404 \$2500 annually from state school fund for summer training schools and distribution of educational documents under direction of state superintendent of public schools. Me. r.188, 16 Mr
- 405 County teachers institutes to be held annually; county superintendents may conduct joint institutes; funds to be applied pro rata; fees; superintendents may refuse certificates to teachers failing to attend. Amending C.S.'99 ch.79 subdiv.7, 10. Neb. 66, 29 Mr
- 406 1500 copies of state teachers association proceedings to be printed annually. Amending S.'98 §335e. Wis. 339, 8 My

- 407 Board of normal school regents may spend \$14,000 [formerly \$12,000] annually for teachers institutes. Counties not having normal schools may establish training schools; governing board; state aid; certificates. Amending '99 ch.268.

Wis. 371, 373, 13 My

- 408 Duties of county superintendent in relation to institutes; allowance to teachers attending. Amending C.'99 ch.45 §53-54.

W. Va. 69, 22 F

#### Normal schools

- 409 Normal school at Gunnison established; 40 acres donated; governor to appoint 3 trustees; no compensation; \$2500 appropriated.

Col. 100, 16 Ap

- 410 \$4500 annually for 1901 and 1902 to establish \$100 scholarship for each county in state normal school; competitive examination.

Fla. 113, 23 My

- 411 \$5000 annually for 1901 and 1902 to maintain industrial and normal department in St Petersburg industrial and normal school; 1 person for each member of legislature entitled to free instruction; regulations.

Fla. 114, 31 My

- 412 County superintendent not to conduct or assist in private or county normal schools; penalty \$100 and removal from office.

Ind. 69, 6 Mr

- 413 County superintendent to conduct examinations for admission to state normal school; questions submitted by state superintendent and faculty; papers transmitted to state superintendent. Amending C.S.'99 ch.79 subdiv.7.

Neb. 67, 27 F

- 414 \$15,000 [formerly \$10,000] annually for state normal school. Amending P.S.'01 ch.95 §8.

N. H. 52, 7 Mr

- 415 \$170,000 for rebuilding state normal school at Fredonia.

N. Y. 55, 1 Mr

- 416 Normal school treasurer to give bond approved by superintendent of public instruction; salary of secretary and treasurer limited. Amending '96 ch.466.

N. Y. 492, 23 Ap

- 417 State board of education may consolidate colored normal schools and distribute total appropriations; may review rules of state board of examiners.

N. C. 565, 11 Mr

- 418 Members of board of trustees and board of management of normal schools to receive \$3 a day and expenses for attendance on sessions [formerly actual expenses]. Amending R.C.'99 §911.

N. D. 35, 8 Mr

- 419 Committee of five appointed by governor to select site for Southwestern normal school; school district may issue \$5000 of 6% 20 year bonds to improve school grounds; board of education to contract for \$52,000 buildings; bidder's bond; salary of superintendent of construction \$100 a month; tax levy of .4 mill yearly for 2 years for buildings.

Okl. 28 art.10, 8 Mr

- 420 Trustees of any state normal school may refund bonded indebtedness at lower rate and increase bonds \$50,000 for building debts already contracted; itemized statement of expenditures to be approved by auditor general.

Pa. 190, 22 My

- 421 State normal school trustees may condemn real estate for additional buildings or grounds; procedure. Pa. 319, 10 JI
- 422 State normal school trustees may fix tuition for and admit persons not intending to teach in public schools of state. Amending G.L.'96 ch.63. B. I. 861, 29 Mr
- 423 South Carolina college trustees may remit fees to public and private school teachers taking teachers courses. S. C. 424, 20 F
- 424 Name of Industrial school and institute of technology at Aberdeen changed to *Normal and industrial school*; purpose to instruct both sexes in manual training, pedagogy and industrial arts; 20 acres donated. Amending '99 ch.76. S. D. 114, 28 F
- 425 \$20,000 for North Texas normal college; tuition free; state students to bind themselves to teach in public schools of state time equal to attendance. Amending '99 ch.53 §4. Tex. 10, 18 F
- 426 \$35,000 for buildings and equipment and \$10,000 for running expenses of Southwest Texas normal school; state board of public education to control; local board of 3 trustees. Tex. 29, 28 Mr
- 427 \$2500 for 1st year and \$1800 for 2d year to establish 4 year college course of classical and scientific studies at Prairie View state normal and industrial college. Tex. 30, 28 Mr
- 428 Amending C.'99 ch.45 §87 as to constitution of state normal school board of regents. W. Va. 51, 20 F
- 429 Of 10 appointed normal school regents 1 to be woman; not more than 1 man to congressional district. Amending S.'98 §393. Wis. 166, 13 Ap

#### Attendance. Instruction

- 430 Colored pupils. \$6000 annually for 2 years for school buildings for colored children; county commissioners to control expenditure. Del. 115, 7 Mr
- 431 Separate schools for white and colored children; district school boards to settle yearly with county commissioners; penalty for failure; records. Okl. 28 art.9, 8 Mr
- 432 Coeducation of white and colored races prohibited; grand juries to have inquisitorial powers. Tenn. 7, 13 Mr
- 433 Schools for colored children to be established in any district of 10 [formerly 15] children of school age, and for a less number when possible. Amending C.'99 ch.45 §17. W. Va. 73, 21 F
- 434 Supplies. Misdemeanor to sell to boards school apparatus other than scientific apparatus for high school unless approved and maximum price fixed by state textbook commission; penalty. Kan. 308, 6 Mr

#### Attendance

- 435 Compulsory attendance. Truancy. Parental or truant schools established in cities over 100,000; regulations; board of education in cities of 25,000 to 100,000 may organize schools by vote of people. Col. 98, 30 Ap
- 436 Misdemeanor for parent or guardian not to send child 5 to 18 to school where lodging, food and clothing are furnished by state or U. S. Id. p.85, 12 Mr



- 437 Child 7 to 14 to attend school; county board of education constitute board of truancy to appoint truant officer to enforce law; penalty \$25 and 90 days imprisonment. Ind. 209, 11 Mr
- 438 Child 7 to 14 [formerly 15] to attend school; certificate of attendance at private school necessary; scholar absent 6 or more consecutive sessions [formerly times] deemed habitual truant. Amending '99 ch.80 §1, 4. Me. 185, 13 Mr
- 439 Age limit of compulsory school attendance 15 [formerly 16]; boards of districts whose schools are within village to appoint truant officer; districts with school population of 50 may appoint; teachers to report truants monthly; truants not to be sent to industrial schools. Amending C.L.'97 §4847-49, 4852; repealing §4853. Mich. 83, 25 Ap
- 440 Justice of peace may sentence incorrigible truant to state training school. Amending '99 ch.226. Minn. 156, 6 Ap
- 441 Children 7 [formerly 8] to 14 to attend school *two thirds number of weeks school is in session* [formerly 12 weeks]; exceptions; truant officers; special schools; school census enumerators to record place and date of birth and schools attended. Repealing C.S.'99 ch.79 subdv.16. Neb. 70, 30 Mr
- 442 Providing for compulsory education of Indian children on Onondaga reservation; superintendent of Indian schools to enforce act. N. Y. 188, 25 Mr
- 443 Revising compulsory education law; children 8 to 16 to attend continuously in respective districts; quarterly reports of employers of children under 16; truant officers; school census; appropriation withheld from districts failing to enforce law. Pa. 335, 11 Jl
- 444 Unlawful to employ child between 8 and 14 without certificate of 12 weeks school attendance. S. D. 113, 5 Mr
- 445 Towns, cities and incorporated villages may make needful arrangements to suppress truancy in pupils under 16. Vt. 27, 27 N 00
- 446 County attorney to act as attorney for county superintendent in proceedings for compulsory school attendance. Amending '97 ch.118 §177. Wash. 177, 19 Mr
- 447 Misdemeanor not to send child 8 to 15 to school. Wash. 118, §171, 177, 19 Mr 97. Unconstitutional. Subject not included in title. State v. MacDonald, 64 P. 912.
- 448 Compulsory school age 7 to 14 [formerly 13]. Amending S.'98 §439a. Wis. 251, 2 My
- 449 School year. Public schools to be in session at least 5 scholastic months. Ala. p.209, 5 Mr
- 450 Special days. Arbor day 2d Tuesday in November. Ark. p.405, 7 Mr
- 451 Thanksgiving and independence days [formerly state and national holidays] school holidays; teacher's monthly report to be for 20 days actual teaching; exceptions. Amending R.S.'92 §256-57. Fla. 108, 22 My
- 452 Certain legal holidays to be school holidays when teachers may close schools without loss of pay. Me. 202, 19 Mr

- 453 Designating June 14 as flag day. Mich. p.400, 4 My
- 454 School holidays to be Dec. 25, Jan. 1, July 4, Memorial day, Feb. 22, Labor day, Feb. 12 and Thanksgiving day; no deduction from teachers wages. Amending '87 ch.122 §1. Minn. 218, 10 Ap
- 455 Designating Oct. 12 as North Carolina day; to be observed in public schools. N. C. 164, 9 F
- 456 2d Monday in March to be Arbor day; exercises in public schools. Okl. 5, 5 Mr
- 457 Schools not to be closed on legal holidays *unless ordered by trustees*; month to consist of 20 school days *inclusive* [formerly exclusive] of holidays. Amending R.S.'95 §3910. Tex. 110, 18 Ap
- 458 School census. On written request of municipal corporation within and less than school district, census marshal to take complete census within corporate limits; extra expense to be paid by municipality. Amending R.S.'01 §2197-98. Ari. R.S.'01 p.1461, 9 Mr
- 459 District school census to include absent children attending institutions of learning whose parents reside in district, orphans in orphanages if attending public school, Chinese and Indian children not living in tribes. Amending P.C. §1637-38. Cal. 47, 27 F
- 460 For making enumeration of school children, committee or clerk of district to receive \$1 and in addition 3c for each child over 50; town school committee to make enumeration before Oct. 20; enumerator may receive 5c for each child. Amending G.S.'88 §2224. Ct. 82, 29 My
- 461 School census to be completed by Oct. 1 [formerly Nov. 15]. Amending '98 ch.496 §16. Mass. 289, 16 Ap
- 462 School age. Legal pupils are those 5 to 18 [formerly 21]; child becoming 5 after beginning of fall term not to be admitted till following fall without written permission of *superintendent* [formerly school board or directors]; kindergartens may be established for pupils under 5. Amending S.'94 §709. Vt. 26, 24 N 00

**Textbooks**

- 463 School districts divided into two classes; board of education to appoint textbook commission of 5 persons for 5 years to select textbooks for districts of 1st class; compensation \$3 a day; county commissioners to appoint boards of education for districts of 2d class; term 4 years; mileage; regulations. Col. 5, 12 Je
- 464 Repealing '97 p.90 requiring county boards of education to report purchase and sale of common schoolbooks to state school commissioner. Ga. p.65, 13 D 00
- 465 State board of schoolbook commissioners may order revision of geographies and histories oftener than every 5 years. Amending '93 ch.93. Ind. 216, 11 Mr
- 466 School committee to make rules for use of free textbooks in accordance with '84 ch.103, free textbook law; pupils may retain and purchase books. Amending '84 ch.103. Mass. 472, 6 Je

- 467 Duty of board of education to *recommend to legislature* [formerly prescribe and cause to be adopted] series of textbooks in common school subjects; no district entitled to public school money unless using textbooks *adopted by legislature* [formerly prescribed by board of education]. Amending '99 ch.78. Nev. 38, 8 Mr
- 468 Adopting series of textbooks prescribed by state board of education; to be used in all public schools of state; change not to be made oftener than once in 4 years or except by act of legislature. Nev. 39, 8 Mr
- 469 State board of education made state textbook commission to select and adopt uniform public school textbooks; when adopted to be used for not less than 5 years; contracts; regulations. N. C. 1, 8 F
- 470 Merchants and dealers may buy and sell schoolbooks contracted for by state. Amending '99 ch.205 §8. Tenn. 71, 22 Ap
- 471 School directors may buy for reference in schools Coutant's *History of Wyoming* and Carroll's *Sabbath as an American war day*. Amending R.S.'99 §597. Wy. 38, 14 F
- Branches. Courses.** (*See also* Deaf and dumb, blind, 4079)
- 472 Nature study, language and grammar *with special reference to composition*, humane education, civil government and drawing to be taught in public schools; home study not to be required of pupils under 15. Amending P.C. §1665. Cal. 238, 23 Mr
- 473 Public schools to give weekly 2 lessons not less than 10 minutes each on humane treatment of animals. Amending '87, p.379. Col. 96, 13 Ap
- 474 Effect of alcohol and narcotics on health and character to be taught in connection with hygiene to public school pupils above 3d grade and under high school; textbooks and teachers. Amending G.S.'88 §2100, 2141. Ct. 61, 29 My
- 475 Public school teacher to review works of school library 1 hour a week [formerly teach pupils kindness 30 minutes]. Amending '99, p.337. Id. p.215, 16 Mr
- 476 Educational institutions may organize cadet corps; governor may issue commissions to necessary officers; procedure. Kan. 100, 14 F
- 477 \$400 for publishing outline public school drawing course. Mass. r. 47, 2 Ap
- 478 County board to adopt course of study for public schools. Mo. p.248, 9 Mr
- 479 District school board to adapt grades to course of study established by county school board; records of advancement of pupils; member of board to attend meetings called by county superintendent to revise course of study. Amending C.S.'99 ch.79 subdiv.5 §3. Neb. 61, 1 Ap
- 480 Children to be instructed in schools as to preservation of birds, fish and game; fish and game laws to be read twice a year. Nev. 47, 12 Mr
- 481 \$50 fine for neglect to have monthly fire drills in schools over 100. N. Y. 201, 27 Mr

- 482 In cities over 100,000 physical culture to be taught in public schools; penalty. Pa. 15, 8 Mr
- 483 After June 1902 teachers to have knowledge of civil government and elementary algebra. Amending '67 ch.35 §11. Pa. 175, 21 My
- 484 System of humane treatment of animals, state laws pertaining thereto and other similar instruction not less than 10 minutes weekly to be taught in public schools; experiments on live animals unlawful. S. D. 116, 8 Mr
- 485 Public schools to teach mental arithmetic, Texas history, U. S. history and civil government. Amending R.S.'95 §3909a. Tex. 93, 16 Ap
- 486 2 weekly lessons of 10 minutes each on humane treatment of animals to be given in public schools. Wy. 8, 6 F

**High schools**

- 487 High school board to meet at high school building or other place fixed by board. Cal. 136, 15 Mr
- 488 Various amendments to P.C. §1670 for establishment of high schools; petition; election; powers and duties of high school boards; bonds; taxes. Cal. 146, 15 Mr
- 489 State not to pay more than \$30 per capita for tuition fees of pupils attending high school outside town or city of residence. Amending '97 ch.249. Ct. 36, 24 Ap
- 490 \$350 for state superintendent to prepare and print high school course of study. Id. p.305, 14 Mr
- 491 High school district defined; 2 townships or school districts may unite for high school. Amending R.S.'99 ch.122 §70, 71. Ill. p.296, 11 My
- 492 Graded high school to be established as near center of township as may be. Amending '99 ch.192. Ind. 224, 11 Mr
- 493 State aid to free high schools, to be paid *Jan.* [formerly Dec.] 1 or semiannually *July* [formerly June] 1 and *Jan.* [formerly Dec.] 1; superintendents to make annual returns before *July* [formerly June] 1. Amending R.S.'83 ch.35 §28, 35. Me. 197, 16 Mr
- 494 Boards of townships not having in their limits city or village may establish rural high schools on petition of one third of taxpayers and majority vote of electors; board of 3 elected trustees and township clerk and treasurer; regulations. Mich. 144, 21 My
- 495 7 [formerly 5] high schools in county may receive state aid. Amending '99 ch.352 §10. Minn. 19, 28 F
- 496 *High school superintendent or principal* [formerly governor] appointed by *governor* to be member of state high school board; optional English or business course to be given in graded and high schools. Amending '99 ch.352 §1, 3. Minn. 148, 6 Ap
- 497 General amendment to '99 p.59 relative to establishment of county high schools; place may be decided by vote. Mon. p.6, 14 Mr
- 498 Nonresident pupils may attend without tuition high schools declared free by district boards; duties of state superintendent; reports of nonresident pupils; county boards to allow 75c a

- week for each pupil; territory not included in high school districts to be taxed as adjunct district. Amending C.S.'99 ch.79 subdiv.4-6, 14, 17. Neb. 63, 1 Ap
- 499 Town not maintaining high school to pay tuition of resident attending elsewhere; \$5000 for tuition in high schools; high school or academy is school having 4 year course preparatory to college or technical or normal school and approved by superintendent of public instruction. N. H. 96, 22 Mr
- 500 High schools established in counties of 6000; county commissioners to appoint board of trustees of 6 members; term 1 year; bond required; county superintendent president; tax levy of 8 mills; trustees liable for indebtedness in excess of 80% levy; duties and report of high school treasurer; trustees to let contracts; regulations relating to school; annual report; salary of secretary and treasurer \$50 a year. Okl. 28 art.1, 8 Mr
- 501 Providing for organization and maintenance of district and county high schools on petition of one third legal voters of district or in discretion of district board and after submission to popular vote. Or. p.144, 26 F
- 502 Providing high schools for townships, on petition of property owners of one fourth of property in township district and majority of electors, board of school directors to submit question of school centralization to electors; if carried, graded course of instruction and transportation of pupils to be provided. Pa. 77, 25 Ap
- 503 Trustees of school district over 1000 [formerly 1500] may establish and maintain high school. Amending R.S.'98 §1830. U. 82, 14 Mr
- 504 Nonresident may attend free high school; tuition paid by general tax in town or village of residence. Wis. 188, 15 Ap
- 505 Town board of school directors in township under township system of school government to be free high school board for town as free high school district; regulations. Amending S.'98 §492a. Wis. 253, 2 My
- 506 High school district electors may authorize school board to borrow money in emergencies. Amending S.'98 §495. Wis. 342, 9 My
- 507 Amending S.'98 §491a, 491b relating to free high schools; classification. Wis. 345, 13 My

#### Miscellaneous

- 508 Eyesight of public school pupils to be tested *triennially* [formerly annually]. Amending '99 ch.104 §2. Ct. 40, 24 Ap
- 509 Semigraded schools may receive state aid for *each school building*. Amending '99 ch.352 art.4 §16; art.5 §2. Minn. 138, 4 Ap
- 510 Mechanical art schools may be established in boroughs and townships of 300 to square mlie. Amending '95 ch.60. Pa. 7, 25 F
- 511 County schools of agriculture and domestic economy may be established by county board; county school board to be appointed; instruction to be in farming, manual training and domestic economy; tuition free; state aid on approval of state superintendent and dean of college of agriculture. Wis. 288, 4 My

- 512 Kindergarten.** School boards may establish free kindergartens in public schools; provisions. **Id.** p.108, 11 Mr
- 513** Cities over 6000 may levy tax of 1c on \$100 for free kindergartens. **Ind.** 84, 6 Mr
- 514** Graduate of kindergarten training school holding teachers certificate or college or high school diploma is qualified kindergarten teacher; holder of certificate of 2 years work in music at state university or normal school or college or of 1 year's work in drawing, qualified teacher in music or drawing; exception. **Mich.** 166, 27 My
- 515** City or village may receive money in trust for establishment of kindergarten or other institution of learning. Amending G.S.'94 §4284. School boards may establish kindergartens and receive gifts therefor. **Minn.** 95, 136, 4 Ap
- 516** School directors may cooperate with kindergartens established by nonsectarian agencies except in districts which maintain kindergartens of their own. Amending '97 ch.17. **Pa.** 64, 23 Ap
- 517** Kindergartens may be established for pupils under 5. Amending S.'94 §709. **Vt.** 26, 24 N O0
- 518** Fixing qualifications for kindergarten teacher; 3 grades of teachers; examination; certificate; certificate on diploma from other state. **Wis.** 347, 13 My
- 519** Evening schools. On petition of 5% of voters evening schools to be established in cities and towns of more than 5000; school board to superintend. **N. H.** 112, 22 Mr
- 520** On petition of 50 taxpayers directors or controllers of cities to establish night schools for manual training of children over 12; school may be closed when attendance falls below 15. **Pa.** 143, 11 My
- 521** Lectures. University extension. \$7500 for farmers institutes, reading courses and lectures. **Mich.** 232, 6 Je
- 522** School board may grant use of schoolhouses for lyceums and other nonsectarian literary purposes. **Pa.** 49, 11 Ap
- 523** Boards of education in cities may provide free evening lectures on natural science and kindred subjects. **Wis.** 336, 8 My
- 524** Private schools. Grants to institutions registered by University are valid whether made in corporate name or to trustees. Amending '92 ch.378 §34. **N. Y.** 592, 27 Ap

### Higher, professional and technical education

#### State institutions. General

- 525** Submitting constitutional amendment allowing legislature to establish high, evening, normal and technical schools and levy tax therefor. *Vote November 1902.* **Cal.** p.948, 7 Mr
- 526** Academy of Idaho at Pocatello established; city to furnish site; governor and senate to appoint 6 trustees for 6 years; powers; state treasurer to be ex-officio treasurer; semiannual reports; 50 20 year 4% \$500 bonds; proceeds from sale of public lands to be sinking fund; regulations. **Id.** p.17, 11 Mr

- 527 Preparatory university to be established at Tonkawa controlled by board of regents; 3 members; term 2 years; land, gift of town; cost of buildings \$15,000; tax of  $\frac{1}{4}$  mill yearly for 2 years. Okl. 28 art.6, 8 Mr
- 528 Industrial institute and college for white girls established; governor to appoint commission of 1 person from each congressional district to select site and obtain title; \$25,000 annually for buildings, equipment and maintenance; 7 regents appointed by governor. Tex. 132, 23 Ap
- 529 Bluefield colored institute board of regents to consist of state superintendent of free schools and 5 [formerly 4] other persons, not more than 5 [formerly 2] to be of same party; appointed by governor; term of office 4 years [formerly during governor's pleasure]; compensation. Amending '95 ch.40 §2. W. Va. 49, 20 F
- 530 State colored institute board of regents to consist of *state superintendent of free schools and 6 other persons* [formerly 5], not more than 4 [formerly 3] to be of same party; appointed by governor *every 4 years* [formerly from time to time as case may require]. Amending '91 ch.65 §2. W. Va. 50, 20 F
- 531 Finance. Lands. Support. (See also School finance, 278; Public lands, 1409) State university trustees may lease, exchange or sell surface timber on, or mineral interests in lands granted by congress. Amending '85 p.109 §1. Ala. p.108, 5 Mr
- 532 \$200,000 biennially for state university. Cal. 143, 15 Mr
- 533 Extending for 20 years \$340,000 loan of Purdue university funds to state. Ind. 27, 27 F
- 534 Prescribing form of mortgage for loan of university funds; rate 6%. Amending R.S.'94 §6096. Ind. 150, 9 Mr
- 535 1-10 mill on \$1 valuation to be assessed for Michigan agricultural college and experiment stations; maximum \$100,000; excess funds. Mich. 232, 6 Je
- 536 State land commissioners may invest university bond fund in public 4% securities. Mon. p.17, 16 Mr
- 537 Lands granted by congress for normal schools and school of mines to be divided and made available. N. M. 65, 20 Mr
- 538 \$25,000 annually for state agricultural college. Or. p.12, 6 F
- 539 \$47,500 annually for state university. Or. p.15, 6 F
- 540 Rate of interest on school, university and agricultural college notes reduced to 6%; makers of notes made heretofore to pay arrearage of interest [formerly and 25% of principal] to secure 6% rate. Amending '99 p.76. Or. p.16, 11 F
- 541 Transfer of 620 acres of land in Union county to state agricultural college authorized; \$10,000 for experiment station buildings thereon. Or. p.67, 23 F
- 542 Surplus money in school, university and agricultural college funds may be invested in municipal bonds if attorney general approves legality. Amending '99 p.162. Or. p.120, 25 F

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### NEW YORK STATE LIBRARY

- 543 Board of land commissioners for sale of school and university lands may bid in school lands sold under mortgage, and lease or sell. Or. p.304, 27 F
- 544 Regents to control and dispose of university mineral lands. Tex. 102, 17 Ap
- 545 \$215,000 annually for normal school fund income. Amending S.'98 §406a. Wis. 370, 13 My
- 546 Admission. Tuition. Student resident of state 1 year preceding admission *at beginning of academic year* not to pay fees at state university, except in law course; attendance at university not to effect residence. Amending '98 §388. Wis. 344, 9 My

#### State universities

- 547 State university trustees may execute bond to U. S. to secure military department equipment; form; payment. Ark. 126, 26 Ap
- 548 Greek letter fraternities at state university prohibited; student members to be excluded from honors and office; trustees to employ no members as instructors. Ark. 210, 23 My
- 549 Board of visitors to state university to include 2 experts in theory and practice of agriculture and horticulture. Amending '87 p.67. Ga. p.79, 18 D 00
- 550 Government of state university vested in 5 [formerly 9] regents; board to be bipartisan, not more than 3 of same political party. Amending '99 p.392. Id. p.14, 4 Mr
- 551 \$5000 for refitting chemical building for gymnasium at state agricultural college; \$600 for fire protection. Kan. 29, 25 F
- 552 State university regents may erect and equip gymnasium with money appropriated by congress to pay assigned claim of New England emigrant aid association. Kan. 408, 1 Mr
- 553 University regents may hold property in trust for educational purposes. Minn. 66, 16 Mr
- 554 State university board of regents to build and equip chemical and physical laboratory at Reno; \$12,000. Nev. 41, 12 Mr
- 555 \$3500 for student hospital at state university. Nev. 65, 19 Mr
- 556 State university to issue bonds not exceeding \$50,000 to repair building and pay floating indebtedness. N. D. 38, 11 Mr
- 557 7-10 mill tax for 2 years for gymnasium and heating and lighting plant at state university; regulations. Okl. 31 art.2, 8 Mr
- 558 University regents to meet on *Tuesday after the 3d Monday in Jan.* [formerly last Thursday in school year] *at place designated by resolution* [formerly at Eugene]; president of board to report to governor at end of *fiscal* [formerly school] year. Amending Hill's Ann. L. §2655, 2662. Or. p.280, 27 F
- 559 \$40,000 for building and equipment of science hall at state university. S. D. 13, 8 Mr
- 560 State university regents to make mineral survey of public lands, issue annual reports of progress, provide instruction in university in geology and mineralogy; state equipments and collections loaned to regents; \$10,000 annually. Tex. 28, 28 Mr
- 561 State university regents to control and dispose of mineral lands belonging to university. Tex. 102, 17 Ap



- 562 Amending C.'99 ch.45 §78 as to appointment and term of office of state university board of regents; term 4 [formerly 6] years. W. Va. 52, 18 F
- 563 1 member of state university board of regents to be woman. Amending S.'98 §378. Wis. 255, 2 My

**State agricultural and technologic colleges.** (*See also* Agriculture—experiment stations, 5131)

- 564 Connecticut agricultural college alumni to elect by ballot deposited personally or by letter alumni trustee; term 2 years; canvassing board. Repealing '99 ch.169. Ct. 70, 21 My
- 565 On expiration of term of agricultural college trustees in 1903, 3 trustees to be appointed for 2 and 4 for 4 years; subsequent appointments to be for 4 years. Amending R.S.'92 §230. Fla. 126, 17 My
- 566 Changing name of Middle Georgia military and agricultural college to Georgia military college; trustees to examine teachers of grades entitled to benefits of common school fund. Amending '79 p.91. Ga. p.85, 17 D 00
- 567 Board of trustees of state industrial school at Western university to be of 7 members; appointment; meetings; duties; \$12,000 for erection of buildings. Kan. 19, 28 F
- 568 Experimental station of state agricultural college and branch of state normal school established on Fort Hays military reservation; organization; regulations. Kan. 220, 26 F
- 569 State agricultural college board of regents to be of 7 members; president and 6 appointed by governor; term 4 years. Repealing '97 ch.46. Kan. 354, 27 F
- 570 Faculty of state agricultural college to *select secretary from their own number* [formerly secretary of state board of agriculture to be member and secretary of faculty]. Amending C.L.'97 §1855. Mich. 202, 3 Je
- 571 Establishing chair of dairy husbandry at state university; board of curators to appoint professor; \$5000 appropriated. Mo. p.257, 17 Ap
- 572 Board of 5 visitors to make personal examination of state college of agriculture on 2d [formerly 3d] Tuesday of November [formerly December]. Amending R.S.'99 §10,511. Mo. p.258, 11 Mr
- 573 \$25,000 in bonds to be issued for erection of dormitories, gymnasium and library at agricultural college. N. M. 89, 21 Mr
- 574 Vesting control of North Carolina college of agriculture and mechanic arts in board of agriculture; board of 13 visitors, 11 appointed by governor; commissioner of agriculture and president of college ex officio; term 6 years. Repealing '99 ch.370 §3. N. C. 650, 13 Mr
- 575 State agricultural college board of trustees may issue bonds for erection of new buildings. N. D. 127, 11 Mr
- 576 State college of agriculture and mechanic arts board of managers to consist of 5 members appointed by governor and senate at January session of assembly; term 5 years with partial renewal. Amending G.L.'96 ch.66 §3. R. I. 809, §11, 29 Ja

- 577 \$50,000 for mechanical and electrical engineering building for state agricultural college. S. D. 14, 8 Mr
- 578 Confirming federal Hatch and Morrill funds and directing their payment to state agricultural college. S. D. 151
- 579 \$20,000 for chemistry building at agricultural college and \$5000 for equipment; 4 sections of land set aside for maintenance. Wash. 81, 15 Mr

## Technical and manual training

- 580 Preparatory school of mines and mining established at Tuscaloosa; act of incorporation; election of trustees; powers. Ala. p.208, 5 Mr
- 581 \$50,000 to establish polytechnic school. Cal. 101, 8 Mr
- 582 Cities and towns may establish manual training schools. Me. 234, 21 Mr
- 583 \$25,000 annually for 10 years for Massachusetts institute of technology. Mass. r. 51, 4 Ap
- 584 *One fifth* [formerly one eighth] of state seminary moneys from collateral inheritance tax to be devoted to use of state school of mines and metallurgy. Amending R.S.'99 §302. Mo. p.43, 9 Mr
- 585 Board of directors of state normal and industrial college may confer degrees. Amending '97 ch.230. N. C. 723, 14 Mr
- 586 \$20,000 for engineering department at Grove City college. Pa. 452, 18 JI
- 587 \$70,000 for Pennsylvania museum and school of industrial art on condition of 1 free scholarship for each county. Pa. 504, 18 JI
- 588 State school of mines established at university; beneficiary of U. S. land grants; no state appropriation. U. 35, 13 Mr
- 589 Appropriations for college of engineering at state university increased. Amending S.'98 §390. Wis. 322, 6 My

## Professional education

- 590 \$6000 to buy South Florida military and educational institute; \$3500 for enlargement and heating of buildings. Fla. 110, 29 My
- 591 Governor and members of legislative assembly each to appoint 1 cadet to New Mexico military institute; \$25,000 in bonds to be issued for new buildings; regulations. N. M. 6, 20 F
- 592 Law department at state university established. S. D. 193, 1 F
- 593 Medical schools. Dissection. Board of distribution to be notified of dead human bodies required to be buried at public expense. Amending '97 ch.315 §2. Me. 276, 22 Mr
- 594 Regulating distribution of bodies to medical colleges. Amending C.L.'97 §5897-98. Mich. 5, 31 Ja
- 595 Regulating dissection of human bodies for scientific, educational and legal purposes; superintendent of public instruction to distribute unclaimed bodies of deceased persons among medical schools; schools to give \$500 bonds; penalties. Repealing C.S.'99 ch.55 §20-23. Neb. 47, 30 Mr
- 596 Creating anatomic board of 3 professors of state medical college to receive dead bodies for scientific use; bodies unclaimed by relatives to be held subject to requisition of board. W. Va. 32, 16 F

**Private institutions.** (*See also Corporations—membership corporations, 1222*)

- 597 Colleges heretofore incorporated may confer degrees by filing with superintendent of public instruction within 3 months from passage of this act statement of \$100,000 assets. Amending '95 ch.244. Pa. 13, 7 Mr
- 598 Trustees. Boards. Corporate powers granted to trustees of Stanford university. Buildings and bonds held in trust exempt from taxation on condition of free tuition to students of state. Cal. 8-9, 14 F
- 599 On two-thirds vote trustees of college or university may increase number and fix term and manner of electing additional trustees; regulations. N. J. 8, 18 F

**Libraries****State libraries**

- 600 Fees to be charged by secretary of state. \$2500 of fees to be paid to state library fund. Amending P.C. §416. Cal. 70, 28 F
- 601 State library committee may expend \$750 [formerly \$500] annually for clerical assistance and expenses. Amending '93 ch.178 §8. Ct. 73, 21 My
- 602 Salary of state librarian \$1500 [formerly \$1200]. Amending C.L.'97 §1765. Mich. 198, 31 My
- 603 Consolidating board of state library commissioners and state library trustees; to consist of 3 members; term 3 years. Not more than 2 on board of library commissioners to be from one political party. N. H. 7, 13 F
- 604 Salary of state librarian \$1000; assistant \$300; separate place to be fitted up in library for colored people; state librarian, superintendent of public instruction and 3 others selected by trustees to be committee to select books for state library. N. C. 506, 9 Mr
- 605 Secretary of state to report annually at *January* session [formerly adjourned session at Providence] on condition of state library. Amending G.L.'96 ch.28 §4. R. I. 852 §5, 29 Mr
- 606 Creating office of state librarian to be appointed by secretary of state with consent of senate; to be under supervision of secretary of state; term 3 years; salary not to exceed \$1000; \$800 [formerly \$200] annually for books. Amending G.L.'96 ch.28. R. I. 862, 29 Mr
- 607 Library commission to be composed of governor, *attorney general*, *reporter* and *chief justice* [formerly justices] of supreme court; *commission* [formerly legislature] to elect state librarian for 4 [formerly 2] years; salary \$1000. Amending '79 ch.31. Tenn. 52, 20 Ap
- 608 \$300 annually for additional help in state library *whenever deemed necessary by librarian or assistant*. Amending '98 ch.7 §1. Vt. 5, 27 N 00
- 609 Salary of state library messenger \$100 [formerly \$75] a month. Wis. 209, 23 Ap

**Free public libraries**

- 610 Cities and towns [formerly over 1000] may establish public libraries; when \$10 is raised by subscription for rural school library,

\$10 shall be added by county board of education and \$10 by state board; libraries may be exchanged among adjacent schools not oftener than once in 6 months and at no expense to public; county boards to decide what schools, not exceeding 6 in each county, may establish libraries; \$5000 appropriated.

N. C. 662, 13 Mr

- 611 State aid and supervision. Traveling libraries. Governor to appoint state library commission of 9 members; term 5 years with partial renewal; to serve without pay; biennial report; to cooperate with cities and towns to establish libraries; regulations. Sp.

Del. 136, 9 Mr

- 612 Creating state, extension and traveling library commission; governor to appoint 5 members, 2 women; term 4 years; gifts; annual report to secretary of state for publication; salary of secretary and traveling and necessary expenses of members not to exceed \$1500; \$6000 appropriation for 2 years. Id. p.6, 28 F

- 613 \$2500 annually to buy books and for maintenance and management of Illinois farmers institute free libraries. Ill. p.51, 10 My

- 614 \$1000 [formerly \$500] annually for state library commission. Amending '99 ch.103.

Ind. 102, 8 Mr

- 615 Amending '99 ch.22 relating to traveling libraries; books loaned to associations on payment of transportation charges; state librarian to be secretary of library commission. Me. 180, 13 Mr

- 616 State librarian may register women's study clubs and loan books for limited time; to furnish registration certificate; user to pay fees and express charges.

Mich. 38, 4 Ap

- 617 State librarian may register and loan books to grange libraries; to give advice on library building, economy and administration; grange librarian to make annual report; state grange lecturer to advise with state librarian.

Mich. 188, 29 My

- 618 County school commissioners to send annually in June to state board of library commissioners list of libraries in county, other than personal, with names and addresses of librarians.

Mich. 199, 3 Je

- 619 State board of education to appoint 4 members of state library board for 4 years; state superintendent of schools 5th member and chairman; duties of board to select list of books for school libraries and to contract with publishers; district boards to set aside 5c to 20c a pupil for books.

Mo. p.205, 20 Mr

- 620 State librarian, superintendent of public instruction, chancellor and librarian of state university and 1 person appointed for 5 years by governor to be state library commission; to supervise libraries of state and require reports; to circulate traveling libraries; biennial report to governor; \$4000 appropriated.

Neb. 43, 26 Mr

- 621 Consolidating board of state library commissioners and state library trustees; 3 members, term 3 years; not more than 2 from same political party.

N. H. 7, 13 F

- 622 \$3000 for traveling libraries and \$500 for expenses of free library commission.

Pa. 414, 18 Jl

- 623** Board of library commissioners may expend annually \$500 for traveling library books and \$100 for clerical labor; to have full control of libraries; 3 citizens may organize and borrow libraries on payment of transportation. **Vt. 32, 22 N 00**
- 624** Creating library commission of superintendent of public instruction, presidents of state university and agricultural college, 2 persons appointed by governor, 1 to be woman, and 1 person selected by federation of women's clubs; duties to advise and assist libraries; \$2000 for traveling libraries. **Wash. 43, 2 Mr**
- 625** \$1500 annually for state library commission to catalogue and distribute to libraries state public documents. Adding §373c-1 to S.'98. **Wis. 168, 13 Ap**
- 626** Establishment. Government. Authorities in cities over 5000 to levy annual library tax not over  $\frac{1}{2}$  mill [formerly when first authorized by majority vote of taxpayers]. **Ari. S.'01 p.236, 16 Mr**
- 627** Cities over 2500 may establish public libraries; on petition of 10 freeholders council to appoint 5 trustees to receive gifts and submit plans; first trustees to serve 1 year; manner and time of selecting successors to be provided by council. **Ark. 26, 2 Mr**
- 628** On petition of one fourth of voters municipality to establish library; mayor to appoint 5 trustees; tax to be levied; limit. **Cal. 170, 23 Mr**
- 629** City or village council may levy annual library tax not over 1 mill; school district trustees on petition of 20 electors to submit question of establishment; trustees may levy 1 mill tax; 5 directors to be appointed by council for 3 years; not more than 1 member of council to be director at same time. Not more than half income of any one year may be set apart for building purposes. Council may levy tax for support of free subscription library provided it becomes free library. **Id. p.3, 27 F**
- 630** Construction of library buildings; tax levy not to be included in aggregate tax as limited by R.S.'99 ch.24 §111 [formerly to constitute part of general city tax]. Amending R.S.'99 ch.81 §16. **Ill. p.234, 10 My**
- 631** Annual library tax in cities of 2000 [formerly 3000] not to be included in aggregate tax. Amending R.S.'99 ch.81 §1. **Ill. p.234, 10 My**
- 632** Authorizing directors to buy library site. Amending R.S.'99 ch.81 §13. **Ill. p.235, 30 Mr**
- 633** Incorporated city or town may levy .6 mill library tax; city council or town board and board of school trustees to each appoint 2 members of library board and judge of circuit court 3; term 2 years; board to control library; regulations. **Ind. 55, 4 Mr**
- 634** Township advisory board in township where library of value of \$1000 has been donated may levy tax of 6c on \$100 of valuation for maintenance; township trustee to be director. **Ind. 112, 7 Mr**
- 635** Free public library tax in cities of less than 2000, not to exceed 2 1-2 [formerly 1½] mills. Amending '86 ch.72 §1. **Kan. 250, 6 Mr**

- 636 Amending '93 ch.242 relating to free public libraries; state assistance; raising money for use and establishing library; free library maintained by association considered public library. Town or city may on petition take lands for library building.  
Mo. 176, 192, 18 Mr
- 637 Repealing '89 ch.169 §2 as to donations to township library fund.  
Kan. 398, 5 Mr
- 638 Public library directors to choose 1 of, their number secretary; county treasurer to pay library moneys to secretary for deposit with city or village treasurer. Amending G.S.'94 §1429. Minn. 8, 15 F
- 639 Cities and villages of less than 50,000 receiving gift of library building may secure site and pledge tax not over 1½ mills.  
Minn. 93, 27 Mr
- 640 Public library directors to be *elected by people* [formerly appointed by mayor]; regulations. Amending G.S.'94 §1428-29; '99 ch.162.  
Minn. 272, 13 Ap
- 641 Cities under 10,000 may issue bonds for public library to 3% assessed valuation. Amending '97 ch.26. Minn. 288, 13 Ap
- 642 Library board may accept gifts and comply with terms. Amending '79, ch.106 §5. Minn. 366, 13 Ap
- 643 Library tax of 2 [formerly 1] mills to be levied when voted. Amending R.S.'99 §6466. Mo. p.84, 9 Mr
- 644 No one related to director to be employed in library. Amending R.S.'99 §6469. Mo. p.84, 20 Mr
- 645 Incorporated city or town may levy annual tax not over 2 [formerly 1] mills for support of *free* public libraries and reading rooms. Amending C.S.'97 §3579. Neb. 42, 30 Mr
- 646 On petition of majority of taxpayers of city, town or school district in counties of over 7000, county commissioners shall within 10 days levy library tax of not over 10c [formerly not less than 10 nor over 50c] on each \$100 of property. *State board of education* [formerly county commissioners] to appoint library trustees. Nev. 27, 2 Mr; 96, 20 Mr
- 647 Cities may issue bonds for libraries to amount of 5 mills on \$1 assessed valuation in excess of limit. Amending '84 ch.77.  
N. J. 71, 20 Mr
- 648 Public library board of trustees to consist of 7 [formerly 5] members; term 5 [formerly 3] years. Amending '90 ch.119.  
N. J. 84, 20 Mr
- 649 Increasing tax that may be levied for support of free public libraries from ⅓ to ½ mill on \$1 assessed valuation. N. J. 95, 21 Mr
- 650 Consolidation of library companies permitted. Amending '92 ch.541.  
N. Y. 594, 27 Ap
- 651 Cities and incorporated towns [formerly over 1000] may provide public libraries; \$10 each from county and state for public school library when like amount is raised by private subscription; librarian; rules; \$5000. N. C. 662, 13 Mr
- 652 Cities not over 50,000 and villages or township over 500 may levy ¼ [formerly 1] mills library tax. N. D. 97, 8 Mr

- 653 City council may provide libraries and reading rooms in cities of 5000; mayor to appoint 6 directors; term 3 years; directors to make rules for library; may accept gifts; annual report; may levy 1 mill tax. Okl. 18, 8 Mr
- 654 City or village may levy library tax not over  $\frac{1}{4}$  mill; may contract with existing libraries for free public use. Board of 9 directors, 6 in city under 3000, appointed by mayor with approval of council; term 3 years; women eligible. Privileges may be extended to nonresidents. Or. p.19, 13 F
- 655 Borough councils and school boards may condemn private property for public library purposes; procedure. Pa. 136, 11 My
- 656 City under 100,000, school districts therein and library associations may cooperate in erection and maintenance of free public libraries; cities may dedicate real estate; tax levy not over 1 mill. Pa. 189, 22 My
- 657 By vote of electors city under 600,000 may issue bonds and levy annual 2 mill tax for libraries; directors to be appointed by mayor; annual report; may accept gifts. Pa. 276, 17 Je
- 658 On petition of majority of legal voters, council of city of 2000 to levy tax not over 2 mills to establish and maintain public library, and 3 mills for library building fund; mayor to appoint 3 trustees for term of 3 years, and building committee. S. D. 173, 11 Mr
- 659 Municipal corporations may levy tax not over 5 [formerly 1] cents on each \$100 of taxable property for free public libraries. Tenn. 2, 4 F
- 660 Women 21 years old may be public library trustees. Amending S.'94 §2982. Vt. 44, 21 N 00
- 661 Cities of 20,000 may buy lands for public libraries, museums or art galleries and levy annual tax for maintenance. Wash. 89, 11 Mr
- 662 Cities, towns and school districts may establish and maintain free libraries; on petition of 25 taxpayers question to be submitted at election when taxes may be voted; management vested in board of 5 trustees elected by voters except in cities where appointed by mayor; detailed provisions concerning regulation and support. Wash. 166, 18 Mr
- 663 County board of supervisors may establish county board of libraries of 5 members; term 3 years; board to control appropriations for libraries; may establish traveling libraries and appoint supervising librarian; county may levy tax of \$500 1st year and \$200 thereafter. Wis. 91, 26 Mr
- 664 Free public library directors to send copy of annual report to state library commission by July 1; report to contain names of directors whose terms expire at date of report. Amending S.'98 §935. Wis. 96, 23 Mr
- 665 Libraries in cities of 10,000 to 150,000 to have 9 directors; in cities under 10,000 and villages, 6 directors appointed by mayor, president, or chairman respectively and with approval of common council, village or town board. Amending S.'98 §932. Wis. 98, 23 Mr

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- 666 City, village or town treasurer to be library fund treasurer. Amending S.'98 §931. Wis. 203, 23 Ap
- 667 Town supervisors, village trustees or city common council may appropriate money for library not within limits of municipality; regulations. Amending S.'98 §934. Wis. 265, 2 My
- 668 Cities, towns and villages may accept gifts for public libraries and levy tax for maintenance to amount of 15% of gift; library boards may buy ground and erect building [formerly with consent of mayor and council, using for building purposes not more than one half library income for 1 year]. Amending S.'98 §931a, 933. Wis. 310, 3 My
- 669 County library trustees may pay incidental expenses of keeping in repair building furnished without rent for use of library. Amending R.S.'99 §1019. Wy. 72, 16 F
- 670 Law libraries. In counties under 150,000 one half of fines and forfeitures to be spent for law library; judges to appoint 5 lawyers as custodians. Pa. 132, 11 My
- 671 School libraries. Boards of school trustees in cities of 15,000 may issue bonds for libraries. Amending '91 ch.35. Ind. 10, 13 F
- 672 Establishing libraries in school districts; county courts may levy property tax of 10c each for children of 4 to 20; county superintendent to apportion money to districts; superintendent and district board to buy books from lists furnished by board of education; library to be in schoolhouse. Or. p.69, 23 F
- 673 Board of school directors may distribute library among schools of district. Pa. 146, 11 My
- 674 In forming public school district libraries, board of school directors need not provide for election of trustees. Amending '95 ch.291. Pa. 147, 11 My
- 675 Providing for school libraries; appropriating 10c per capita of school population from school funds for library; county superintendent, auditor, state's attorney and school superintendents constitute county library boards; library circuits of not over 10 schools. S. D. 172, 11 Mr

**Scientific work. Art****General**

(See also Industries, 4994; Expositions, 4995)

- 676 Academy of sciences. \$2000 for Wagner free institute of science. Pa. 350, 18 J1
- 677 \$150 for binding exchanges of Wisconsin academy of sciences. Wis. 197, 18 Ap; 447, 15 My
- 678 History. Archives. Establishing state department of archives and history and appointing 9 trustees; term 6 years; trustees to elect director; term 6 years; salary \$1800; to gather data concerning state soldiers in civil war; publish state history; annual report. Ala. p.126, 27 F
- 679 \$25,000 for procuring and publishing documents relating to Illinois and the northwest. Ill. p.55, 10 My
- 680 On petition of 50 voters and president and secretary of county historical society maintained for 5 years, county commissioners may appropriate not over \$5000 for rooms and furnishings. Ind. 233, 11 Mr



- 681 Files, documents or records of state historical society not to be taken from society's building; exceptions; certified copies may be received in evidence. Kan. 226, 2 Mr
- 682 Providing for official copies of illegible engrossed acts and resolves of general court. Mass. 191, 26 Mr
- 683 "Dongan acts" to be returned to New York. Mass. r. 30, 26 Mr
- 684 \$2000 [formerly \$1500] annually for 2 years to Michigan pioneer and historical society. Mich. 164, 27 My
- 685 Report of state department G. A. R. and reports and publications of state historical society may be printed by state. Amending '97 ch.269. Minn. 205, 10 Ap
- 686 Town supervisors and corresponding city officers to send to New Hampshire historical society and state library copies of check-lists used in presidential elections. N. H. 57, 7 Mr
- 687 Secretary of state to index provincial records and be custodian. N. H. 151, 21 Mr
- 688 Amending '95 ch.464 to extend publication of state records to Jan. 1, 1791 [formerly 1790]. N. C. 632, 13 Mr
- 689 \$5000 for Oregon historical society and \$500 annually for 1901 and 1902 for printing. Or. p.155, 27 F
- 690 County historical society 8 years old, with 100 members and fee of \$2 may receive \$200 from county commissioners; 2 public meetings must be held annually. Pa. 182, 21 My
- 691 Continuing commission to compile and publish state laws prior to 1800; \$9000. Pa. 412, 18 Jl
- 692 Continuing publication of state archives by secretary of commonwealth; editors compensation \$500 a volume. Pa. 446, 18 Jl
- 693 State and Newport historical societies to report manner of expenditure of appropriations annually at *January* [formerly May] session. Amending G.L.'96 ch.28 §9. R. I. 852, §6, 29 Mr
- 694 \$1000 to commissioner of records to continue work on lists of officers and soldiers in colonial wars and revolution. R. I. p.274, 28 Mr
- 695 \$3000 to secretary of state for purchase of 300 copies of Rhode Island civil and military lists, 1800-1850; secretary of state to distribute to state officers and public libraries. R. I. p.270, 29 Mr
- 696 \$2000 to secretary of state for purchase of 300 copies of volume 12 Vital statistics of Rhode Island containing matter concerning soldiers of revolution; secretary of state to distribute to state officers and public libraries. R. I. p.273, 28 Mr
- 697 Establishing department of history; duties vested in state historical society as trustee of state; composition and duties of executive committee and officers. S. D. 135, 5 F
- 698 Governor may procure copies of first 9 volumes of original state surveys now in possession of New York state. Vt. 318, 13 N 00
- 699 Clerk of house of representatives to print 1250 copies of Vermont historical society proceedings; distribution. Vt. 332, 20 N 00
- 700 Increase of \$5000 annually to state historical society for books, maps, manuscripts and kindred articles. Wis. 155, 9 Ap

- 701 **Geology. Topography.** Providing for publishing bulletins and reports of state geologist. Ala. p.54, 10 D 00
- 702 State university geologic survey to make survey of mineral resources of state; annual report; appropriation. Kan. 60, 2 Mr
- 703 Commission on topographic survey abolished and duties transferred to board of harbor and land commissioners. Mass. 469, 6 Je
- 704 \$2800 to geologic survey for printing reports and maps. Mich. 231, 6 Je
- 705 Office of state geologist to be at state school of mines. Amending R.S.'99 §7502. Mo. p.177, 9 Mr
- 706 On petition of 50 neighboring freeholders, state geologist to inspect lands believed to contain valuable minerals. Adding §7503b to R.S.'99. Mo. p.178, 12 Mr
- 707 Tax levy of  $\frac{1}{4}$  mill to create geologic survey fund; to be expended in like amount as funds appropriated by U. S. on requisition on secretary of interior. N. M. 79, 21 Mr
- 708 North Dakota agricultural college to cooperate with U. S. in completing survey of state; economic map and reports to be published. N. D. 8, 14 Mr
- 709 Misdemeanor to destroy building, record, document or scientific device on state or U. S. land. Or. p.284, 27 F
- 710 \$45,000 for continuation of topographic and geologic survey; governor to appoint examiner for special economic geologic work. Pa. 424, 18 Jl
- 711 Governor and senate to appoint state geologist to investigate geologic resources of state; duties; annual report; compensation \$125 a month and expenses. S. C. 395, 21 F
- 712 \$1000 annually for work by state geologist; biennial report on mineral industries; account of expenditures. Vt. 6, 24 N 00
- 713 Establishing state geologic survey and abolishing state mining bureau and state geologist; creating board of geologic survey consisting of governor, lieutenant-governor, state treasurer, presidents of university and agricultural college; board to appoint state geologist and fix compensation; survey to ascertain mineral, agricultural and industrial possibilities of state; biennial reports to legislature; \$5000 annually. Repealing Ballinger's Codes '97 §172-83, 3145-50. Wash. 163, 18 Mr
- 714 \$5000 annually for geologic and natural history survey of state. Wis. 375, 13 My
- 715 Governor and senate to appoint state geologist; term 6 years; salary \$2400; duties to collect and report information concerning mines. Wy. 45, 16 F
- 716 **Museums.** Repealing '83 ch.355 §1 directing state museum trustees to occupy rooms in state hall. N. Y. 315, 11 Ap
- 717 **Botany.** \$650 to publish and distribute work on botany of state. Tenn. 148, 18 Ap
- 718 **Art.** Society for preservation of scenic and historic places and objects may acquire property anywhere in U. S. Amending '95 ch.166. N. Y. 385, 17 Ap

## Political Regulations

(See also State and local government, 2964)

### Civil rights. Citizenship

(See also Suffrage, 764)

- 719 Aliens. Not to hold public office or have public employment.  
Cal. 185, 23 Mr
- 720 Repealing '91 ch.3 regarding rights of aliens to hold real estate.  
Kan. 1, 5 Mr
- 721 Civil rights. Regulation of membership and rights in Penobscot tribe of Indians. Repealing '74 ch.301. Me. 290, 22 Mr
- 722 After 3 years civil rights to be restored to felons who have served sentence or paid fine; testimony of good character to be given before judge of district court. Minn. 263, 11 Ap
- 723 When petitioner for restoration to citizenship has been out of state 3 years depositions of witnesses may be read at hearing. Amending C. §2939. N. C. 533, 9 Mr
- 724 Correcting clerical error in '01 ch.533 as to restoration of citizenship. N. C. 654, 13 Mr
- 725 Referring to next legislature amendment to constitution allowing negroes to reside in state. Or. p.479, 12 F

### Statistics

- 726 Bureau of statistics. (See also Labor statistics, 1024, with which the collection of miscellaneous statistics of production, etc. is often grouped) Amending P.S.'01 ch.30 §2, ch.43 §12 as to collection and compilation of pauperism statistics by state officers. N. H. 26, 20 F
- 727 Governor and senate to appoint commissioner of industrial statistics biennially at January session of assembly [formerly in June]; term to begin Feb. 1. Amending G.L.'96 ch.70 §1.  
R. I. 809 §13, 29 Ja
- 728 Repealing G.L.'96 ch.70 §4 authorizing governor to remove commissioner of industrial statistics for cause and fill vacancy.  
R. I. 809 §14, 29 Ja
- 729 Bureau of statistics created; commissioner appointed by governor and senate for 4 years at \$1500 and expenses; to collect, systemize and report annually statistics of agriculture, mining, manufactures and other industries; county assessors to collect statistics. U. 55, 14 Mr
- 730 Assessors to gather agricultural statistics; compensation.  
W. Va. 25, 9 F
- 731 Census, state and municipal. (See also School census, 458) Providing for census of state prior to June 1, 1901, and for apportioning representation in house of delegates; governor to appoint superintendent and assistant superintendent; superintendent to appoint district and county enumerators. Md. 3, 26 Mr
- 732 \$2500 for governor to obtain copies of population returns of 12th census of U. S. as to portions of state in order to ascertain correctness. Md. 9, 1 Ap

- 733 Census of population, deaths and manufacturing, mining and mechanical products to be taken 1904 and every 10 years thereafter; secretary of state to superintend; may appoint chief of census division at \$1500; to divide state into districts and appoint enumerators; schedules; regulations. Mich. 240, 7 Je
- 734 Governor to file with secretary of state, copy of national census bulletin showing population of state; such filing an official promulgation of national census; state census promulgated when secretary of state transmits copy to legislature. N. J. 151, 22 Mr

## Elections

(See also for term of office, vacancies, etc. the various officers under State and local government)

- 735 Elections generally. County commissioners to appoint judges and clerks of election; appointment of watchers; ballot not to be rejected for imperfect markings; misdemeanor to interfere with watcher. Col. 73, 15 Ap
- 736 Submitting constitutional amendment; general biennial elections to be held in *even* [formerly odd] years. *Adopted November 1900.* Ia. j.r. 1, 00. *Unconstitutional.* Amendment was not entered in full on house journal. State v. Brookhart, 84 N. W. 1064.
- 737 Amending '97 ch.129 as to elections; party and independent nominations; party emblems; withdrawal of candidates; form of ballot; vote on constitutional amendments; election boards; conduct of election; casting of ballot. Railroad employees necessarily absent on general election days may vote wherever in state they may be; procedure; penalty for perjury. Kan. 177, 180, 5 Mr
- 738 Submitting constitutional amendment requiring general and township elections to be held biennially on same day. *Vote November 1902.* Kan. 424, 14 F
- 739 Governor [formerly general assembly] to appoint state board of election commissioners; 2 members for 1 year [formerly 3 members for 4 years]; clerk of court of appeals to preside; compensation \$5 a day; state board to appoint county board; 2 members; term 1 year; compensation \$2 a day; to appoint election officers and canvass returns; penalties. 15p. Amending '98 ch.13. Ky. 5, 16 O 00
- 740 Amending '96 ch.202 as to elections; *loss of legal residence; no party emblem on ballot* [formerly emblem allowed]; *names of candidates to be arranged on ballots alphabetically under office, with name of party following all in uniform type* [formerly names grouped by party, each group headed by name of party and printed in separate column, party polling largest gubernatorial vote at last election having first place]; *assistance in marking ballot to be given only to blind or physically disabled voters; ballot not to be read or suggestion made, but voter to name his candidates one by one and not in political group* [formerly assistance allowed to voters who could not read or write; ballot to be read and candidates might be marked in group]. 18 p. Md. 2, 21 Mr

- 741 Changing order of offices and form of election ballots; statement of results of election. Amending O.L.'97 §3625, 3632, 3636, 3648.  
Mich. 214, 6 Je
- 742 Villages of 2 or more voting precincts to have in each precinct 2 judges and clerk; judges to make return to village recorder and council; village council to be canvassing board. Amending G.S.'94 §1216.  
Minn. 60, 16 Mr
- 743 Amending O.S.'99 ch.26 as to appointment of judges and clerks of election, serving of order by sheriff, form of ballots and tally list, primaries for nominations and party action on constitutional amendments. 18 p.  
Neb. 29, 1 Ap
- 744 Amending '91 ch.40 relating to elections and secrecy of ballot; voter to stamp X *in the square and in no other place* after name of candidate; *stamp, ink and pad to be furnished by county clerk* and delivered with ballot to inspector.  
Nev. 100, 21 Mr
- 745 Extending '96 ch.139 relating to nomination of candidates and use of official ballots, to charter, local, municipal and special elections in towns.  
N. J. 155, 22 Mr
- 746 Amending '96 ch.909 as to notices of elections, election districts, registration and voting places, election officers, payment of election expenses, distribution of election law, nominations and canvassers; creating bipartisan board of elections in New York city; 4 commissioners appointed for 2 years by mayor; salary \$5000.  
N. Y. 95, 13 Mr
- 747 Liquor not to be sold within  $\frac{1}{4}$  mile of polling place nor while polls are open; persons attempting bribery or betting or those convicted of felony excluded from suffrage; flag not to be used as emblem on ticket; independent nominations. Amending '96 ch.909.  
N. Y. 654, 3 My
- 748 Revising election law; time of elections; governor to appoint state board of elections; state board to appoint county boards; duties of boards; registration; qualifications of voters; ballots; boards of canvassers; apportioning congressional districts; compensation of election officers; vacancies; presidential electors. 28p. Repealing C. v.2 ch.16 relating to holding elections.  
N. C. 89, 243, 14 Mr
- 749 General amendments to Australian ballot law; inspectors appointed by county court for 2 years; nominations; registration; conduct of elections.  
Or. p.349, 28 F
- 750 Amending election law; manner of balloting and canvassing votes; returns to state returning board in general elections; duties of officers; penalties. 11 p. Repealing G.L.'96 ch.10.  
R. I. 829, 21 Mr
- 751 Wards and civil districts of 750 whether incorporated or not in counties of 15,000 to be subject to registration and ballot laws; when not fixed by federal census, election commissioners to determine population of town and publish fact of requisite population 60 days before registration.  
Tenn. 147, 18 Ap

- 752 City council or board of trustees to designate polling place and appoint judges at municipal elections; general laws to govern.

U. 138, 26 Mr

- 753 Amending Ballinger's Codes '97 t.8 relating to qualifications and registration.

Wash. 135, 18 Mr

- 754 Notice of nominations to be published and contain instructions to voters and form of ballot; specifications of ballot; individual nominations for judicial or municipal elections. Amending S.'98 §36-38, 40.

Wis. 457, 14 My

**Suffrage. Voting residence**

- 755 **Women.** (*See also* School elections, 177) Qualified women taxpayers in villages may vote on proposition to raise money. Amending '97 ch.414 §41.

N. Y. 509, 23 Ap

- 756 **Qualifications.** Repealing '99 no. 37 requiring payment of poll tax by elector before name is entered in great register.

Ari. R.S.'01 p.1455, 2 Mr

- 757 Submitting constitutional amendment requiring voter to be citizen of U. S. [formerly or to have declared intention 4 months before voting], 21 years old and resident of state 12 months [formerly 6 months]. *Vote November 1902.*

Col. 47, 27 Ap

- 758 Submitting constitutional amendment to next legislature; every male [formerly every white male] citizen to vote; laws may be enacted requiring in addition to regular qualifications terms of residence in county and precinct. *Not repassed by legislature of 1901.*

Or. p.1180, 18 F 99

- 759 **Aliens.** Submitting constitutional amendment requiring foreigners to declare intentions 6 months [formerly any time] before election; voters subject to poll tax to pay before Feb. 1 preceding election. *Vote November 1902.*

Tex. p.322, 18 Mr

**Nominations. Caucuses**

- 760 Amending P.C. §1192 as to time of filing certificates of nomination with secretary of state and duty of county clerks in regard thereto.

Cal. 196, 23 Mr

- 761 State central committee and state convention to finally determine all party controversies; membership of central committee to be filed with secretary of state.

Col. 71, 16 Ap

- 762 In election to fill vacancy in senate or house of representatives which has occurred during session or within 40 days prior thereto, nomination papers may be filed not less than 10 days before election. Amending G.S.'97 ch.52 §40.

Kan. 183, 19 Ja

- 763 Convention of political party casting 2% of votes at last election to have candidates' names on official ballot; petitioners required for independent nominations; county clerk to provide ballots; party columns; arrangement; regulations.

Ky. 3, 16 O 00

- 764 Certificates of nomination of state and county officers to be filed on or before Aug. 10 of year of election [formerly 30 days before day of election.] Amending '93 ch.267 §6.

Me. 138, 7 F

- 765** In cities except Boston certificates of nomination for city offices to be filed on or before *3d Monday* [formerly 2d Wednesday] and nomination papers on or before 2d *Wednesday* [formerly Friday] preceding election. Amending '98 ch.548 §145. **Mass.** 124, 7 Mr
- 766** Amending '98 ch.548 §104 as to caucus notices and withdrawal of person nominated by nomination paper for office to be filled at caucus. **Mass.** 249, 4 Ap
- 767** Vacancy in delegation consisting of 1 or 2 members to be filled by withdrawing or remaining delegate. Amending '98 ch.548 §93. **Mass.** 404, 17 My
- 768** Nominations for elective officers, delegates or committeemen to be made only on papers prepared and delivered by city or town. Amending '98 ch.548 §108. **Mass.** 435, 23 My
- 769** Providing for election of committeemen to fill vacancies in nominations and for city committees. Amending '98 ch.179 §4. **N. Y.** 167, 22 Mr
- 770** No political party entitled to more than 1 list of nominees on official ballot; no party to be represented by more than 1 organization. Amending R.S.'99 §502. **N. D.** 48, 8 Mr
- 771** Certificates of nomination of candidates in city and town elections to be filed 15 [formerly 10] days before election; withdrawal of name from nomination to be filed 13 [formerly 8] days before election. Amending G.L.'96 ch.11 §16-17. **R. I.** 812, 31 Ja
- 772** Amending '97 ch.60 §10 relating to publication of nominations; list to be furnished newspapers 15 days prior to elections; to appear in last 2 issues preceding election; regulations; price fixed. **S. D.** 121, 12 F
- 773** Extending definition of political party to include all having had nominations on official ballot for preceding 10 years. Amending C.'99 ch.3 §18. **W. Va.** 61, 18 F
- 774** **Primaries. Conventions.** Regulating primary elections and nomination of candidates to public office; political parties casting less than 3% of total vote at last preceding election exempt. **Cal.** 46, 3 Mr 99. *Unconstitutional.* Deprives of equal privileges and immunities. *Britton v. Board of election commissioners*, 61 P. 1115.
- 775** Regulating manner of choosing delegates to nominating conventions; nominations; decision of party controversies; form of certificates; independent candidates; voters at primary elections not to sign petition of independent candidate. Amending P.C. §1186-88. **Cal.** 187, 23 Mr
- 776** Primary election law revised. 13p. **Cal.** 198, 23 Mr
- 777** Regulating political primaries and caucuses; notices of enrolment of voters; applications for enrolment; vote by ballot; only enrolled voter to participate in caucus after 1902. **Ct.** 176, 17 Je
- 778** Primary election law; committees of political parties to give 30 days notice of primary election; only lawful electors having paid poll tax 10 days previous may vote at primary; powers of party committees; challenges; inspectors; general election law to govern. **Fla.** 130, 31 My

- 779 Primary election ballots to be filed with clerk of superior court of county where election was held; election papers to be unopened for 60 days and destroyed without examination; clerk to deliver suspected ballots in contested elections to person taking testimony; penalty. Amending C.'95 v.1 §115. Ga. p.40, 18 D 00
- 780 Revising '98 p.11 concerning primary elections; applies only to counties of 125,000 unless adopted by voters. 24 p.  
Ill. p.172, 11 My
- 781 Marking primary election ballots in counties other than Cook. Amending '99 p.211. Ill. p.197, 27 F
- 782 Primary election law in counties containing city of 50,000; nominations may be made by direct nomination or by convention system; little official control. Party committees in other counties may hold direct nominations under this law. Ind. 219, 11 Mr
- 783 Providing for appointment of primary election inspectors and challengers; certificates; powers; clerk or judge of election to administer oath; penalty. Amending '92 ch.65 art.12.  
Ky. 4, 22 O 00
- 784 Political party caucuses except for special elections to be held throughout state on day designated by state committee of party; all delegates to be elected and candidates nominated at 1 caucus; representative convention not to be held within 7 days after caucus. Amending '98 ch.548 §87. Mass. 117, 6 Mr
- 785 Primary election for direct nominations to be held 7 weeks before election; regulations as to nomination; separate ballot for each party. Amending '99 ch.349. Minn. 216, 10 Ap
- 786 For primary elections, population in cities over 100,000 determined by aggregate vote for first candidate on each ticket at last presidential election multiplied by 5. Amending R.S.'99 §7131.  
Mo. p.144, 11 Mr
- 787 Primary election law for cities over 300,000. 17 p.  
Mo. p.149, 13 Mr
- 788 Primary elections and conventions in counties of 175,000 to 300,000; regulations. Mo. p.165, 23 Mr
- 789 Person may not vote at primary meetings of 2 political parties; oath; penalty. Amending P.C. §1331-37. Mon. p.115, 6 Mr
- 790 Town and ward caucuses to be called by notice posted in 5 places and published in newspaper, if any, of town or city 10 days previous; notice to give place, date, hour of meeting, and time polls are open; elections to be by ballot and check list; challenges; returns. N. H. 105, 22 Mr
- 791 Regulating appointment of watchers by political parties at meetings of election inspectors for enrolment of voters. Amending '96 ch.909 §30. N. Y. 300, 8 Ap
- 792 Expense of official primary elections to be paid by cities where held. Amending '98 ch.179. N. Y. 360, 17 Ap
- 793 Certificates of election to be issued to delegates receiving *plurality* [formerly majority] of votes cast at caucus. Amending R.C.'99 §497b. N. D. 47, 11 Mr



- 794 Providing for primary elections in cities over 10,000; county clerk to designate primary day; list of proposed delegates to be filed with clerk; 10 members of any party may propose delegates; separate ballots for each party; conduct of elections.  
Or. p.317, 28 F
- 795 Providing for primary elections in counties of 50,000; to be held first Monday in April biennially; list of candidates for nomination to be filed with county clerk; 5% of voters of party may propose candidates; all party tickets on 1 ballot; conduct of elections.  
Or. p.400, 1 Mr
- 796 Laws governing general elections in counties of 90,000 to apply to primary elections in counties of 110,000 to 130,000; ward or district chairmen to appoint election officers; supplemental registration.  
Tenn. 12, 20 Mr
- 797 Regulating primary elections; officers to be appointed by party committee; general election law to apply; expense of election to be borne by party holding.  
Tenn. 39, 17 Ap
- 798 Misdemeanor for other than legal voter to vote at primaries.  
U. 72, 14 Mr

**Registration**

- 799 Repealing requirement that color and exact age of voter be entered in register.  
Del. 64, 14 Mr
- 800 On payment of taxes qualified voter to be registered by collector and entitled to vote during succeeding year.  
Ga. p.70, 18 D 00
- 801 Election judges to send register of qualified electors to clerk of county commissioners; regulations for ballot boxes of 1900.  
Amending '99 p.33. Id. p.291, 21 Mr
- 802 Lodging house, *boarding house, inn, hotel, or tavern* keeper to furnish sworn statement of names of lodgers to election commissioners.  
Amending R.S.'99 ch.46 §193-94. Ill. p.169, 10 My
- 803 Amending G.S.'89 §702 as to registration of voters, notice of closing books, access for qualified representatives of political organizations.  
Kan. 181, 1 Mr
- 804 In cities of 25,000 to 100,000 voter absent on registration day may register by filing sworn affidavit. Adding §7205 to R.S.'99.  
Mo. p.143, 1 Mr
- 805 In cities of 100,000 to 300,000 to determine population for registration purposes, aggregate vote for first candidate on each ticket at last presidential election to be multiplied by 5. Amending R.S.'99 §7270.  
Mo. p.170, 11 Mr
- 806 New registration in cities of 30,000 [formerly 40,000] for each election other than general elections; fees for election day \$7 [formerly \$5]. Amending '98 ch.139.  
N. J. 117, 22 Mr
- 807 "Nativity" in registration book means place of birth. Amending '96 ch.909 §32.  
N. Y. 113, 15 Mr
- 808 Amending '96 ch.909 §34 subdiv.6 as to challenges of applicants for registration; prescribing form of affidavits.  
N. Y. 544, 25 Ap
- 809 Providing permanent registration of persons entitled to vote under art.6 §4 of constitution.  
N. C. 550, 11 Mr

- 810 Submitting constitutional amendment enabling legislature to pass general and special registration laws. *Adopted November 1901.*  
Pa. 236, 4 Je
- 811 Amending G.L.'96 ch. 6-11, 16, 19 as to classes of voters, registration, duties of officials and certificates of election.  
R. I. 808, Ja 23
- 812 Yearly registration of electors; mayors of cities over 2000 may appoint ward registration boards consisting of 3 electors. Amending '99 ch.86 §3. S. D. 122, 25 F
- 813 Submitting constitutional amendment authorizing legislature to provide for registration of voters. *Vote November 1902.*  
W. Va. 154, 22 F
- 814 Election inspectors to make registration list of electors according to street and number in cities over 10,000; new registration before each election in cities of 150,000. Wis. 393, 13 My
- 815 Days. Hours. Changing day for new general registration of voters. Amending '99 p.171. Ill. p.199, 11 My
- 816 City registration boards to meet *3d Tuesday and Wednesday* [formerly 1 day fixed by law and not more than 3 appointed by council] before election: to open at 7 [formerly 8] a. m.; not to apply to cities with other registration law. Amending C.L.'97 §3540. Mich. 32, 29 Mr
- 817 Boards of registration to hold additional meetings for registration of voters in general election years in cities and towns over 500; 2 weeks notice. S. C. 346, 20 F
- 818 Lists. Transfers. Registry agents to file with county clerks list of registered voters in their precincts; county clerk to certify lists to secretary of state. Nev. 66, 19 Mr
- 819 On certificate of registry agent names may be removed from register and registered in another district *any time before day of election.* Amending R.S.'98 §812. U. 11, 25 F
- 820 Board of civil authority not to erase name of challenged voter from check list without giving 48 hours written [formerly or oral] notice of hearing. Amending S.'94 §72. Vt. 2, 22 N 00
- Districts. Notices. Days**
- 821 Districts. County clerk to furnish secretary of state with list of changed election districts. Amending R.S.'99 ch.46 §30. Ill. p.166, 10 My
- 822 County board to redive election districts at *June* [formerly July] meeting; *on petition of 25% of voters, may divide rural precincts of 200 voters.* Amending R.S.'99 ch.46 §30. Ill. p.167, 10 My
- 823 County boards of supervisors of elections may subdivide election districts of over 600 voters. Amending '96 ch.202 §117. Md. 10, 1 Ap
- 824 Township boards of townships divided into election districts may abolish division; not to apply to divisions by special act of legislature. Amending C.L.'97 §3582-94. Mich. 21, 20 Mr
- 825 County commissioners may create separate election precinct on petition of 50 electors of incorporated town or village. S. D. 120, 9 Mr

- 826 Town containing less than 50 sections not to be divided into election districts unless 400 votes were cast at last general election. Amending S.'98 §16. Wis. 333, 8 My
- 827 County board to create election districts on Indian reservations; county judge to appoint election officers on petition of 25 voters; powers and duties; compensation; rights of electors; election laws apply. Wis. 333, 8 My
- 828 Notices. City, village and town clerks to transmit to county clerk 3 months before general election notice stating each city, town or village officer to be voted for. Amending '96 ch.909 §5. N. Y. 232, 2 Ap
- 829 Days. Hours. County elections to be held on Tuesday succeeding 1st Monday in November 1902 and biennially thereafter; election and appointment of district judges for 4 years. Kan. 176, 1 Mr
- 830 Polls to be opened at 6 [formerly 7] a. m. Amending S.'94 ch.41 art.1 §1469. Ky. 2, 18 O 00
- 831 Polls for election of state, county and municipal officers may be opened at 6 [formerly 8] a. m. Amending '91 ch.102 §28. Me. 136, 5 F
- 832 Referring to next legislature amendment to constitution; general elections to be held on Tuesday following 1st Monday in November biennially. Or. p.473, 22 F
- 833 Submitting constitutional amendment providing that county and district elections be held in November [formerly May]. Adopted November 1901. Va. 839, 6 Mr 00
- 834 City, town or village may fix time of opening polls; regulations. Amending S.'98 §796. Wis. 402, 14 My
- 835 Towns and villages in counties of 200,000 may open polls at 6 a. m. Amending '99 ch. 72. Wis. 404, 14 My

**Election officers**

- 836 Sheriff to serve appointments of election judges for each precinct of county. Amending S.'94 §2601. Ark. 206, 23 My
- 837 Chief clerk of election commissioners in counties of 25,000 to 100,000 to receive \$1200 [formerly \$600] salary; election judges and clerks in counties over 25,000 \$5 a day. Amending R.S.'99 ch.46 §281-82. Ill. p.205, 11 My
- 838 Election inspector to be appointed at September [formerly June] term of board. Amending '97 ch.131. Ind. 201, 11 Mr
- 839 Amending '96 ch.909 §11 as to appointment of election inspectors in towns; town board to appoint 2 from each party; term 2 years. N. Y. 538, 25 Ap

**Ballots. Voting**

- 840 General. Amending P.C. §1354-61 relating to ballots and voting, and providing further protection for voters; forbidding electioneering within 25 feet of polling place. Mon. p.117, 7 Mr
- 841 Form. Amendments. Constitutional amendments submitted to people to be posted in each voting booth; 3 to be posted in conspicuous places near polls. Ark. 175, 23 My

- 842 Corner of ballot to be black; number to be written on opposite side; penalty. Col. 72, 16 Ap
- 843 Amending '93 ch.4 as to placing on ballots constitutional amendments and names of candidates. Minn. 83, 27 Mr
- 844 Candidates may use name of but 1 party on official ballots. Minn. 312, 13 Ap
- 845 New political parties forbidden to use portion of name of party now in existence. Amending R.S.'99 §7084. Mo. p.144, 13 Mr
- 846 Separate ballots for question of bonded indebtedness submitted to county electors. Mon. p.13, 14 Mr
- 847 Inspectors not to put mark on ballot other than certificate of rejection. Nev. 67, 19 Mr
- 848 Proposed amendments to constitution or questions submitted to electors to be printed on separate fold of official ballot; ballots to be delivered to state returning board; board to declare result. R. I. 834, 26 Mr
- 849 Amending '97 ch.60 §19 prescribing form and style of ballot. S. D. 112, 8 Mr
- 850 Changing form of Australian ballot from alphabetic arrangement with provision for straight voting, to party column. Amending Ballinger's Codes '97 §1364. Wash. 89, 16 Mr
- 851 Marking. Assisting. Indelible black pencil or crayon to be used in marking ballots at all elections; penalty. Del. 62, 2 Mr
- 852 Governor to appoint 2 voters' assistants for general elections in each election district; qualifications; duties; penalty. Del. 63, 8 Mr
- 853 When 2 or more persons are to be elected to same office, ballots to be marked with cross opposite each name. S. D. 117, 5 Mr
- 854 Amending S.'94 §127 relating to assistance to voters in marking ballots; 2 assisting clerks to remain in special booth during time of voting. Vt. 3, 27 N 00
- 855 Polls. Boxes. Supplies. Election blanks to be furnished county authorities by governor. Ga. p.69, 30 N 00
- 856 Polling places to be opened at national homes for disabled volunteer soldiers. Amending R. S.'99 ch.46 §30. Ill. p.170, 10 My
- 857 Liquor not to be sold within ¼ mile of polling place nor while polls are open. Amending '96 ch.909. N. Y. 654, 3 My
- 858 Misdemeanor for other than election officers to approach within 30 feet of voter or ballot box when ballot is being cast; in counties of 30,000 election officers may construct railways between which voters approach ballot box. Amending '97 ch.14 §4. Tenn. 142, 18 Ap
- 859 In cities under 10,000 separate polling places for each ward may be provided at city hall 10 days before election. Adding §980a-b to S.'98. Wis. 61, 21 Mr
- 860 National flag to be placed over every voting place on general election and registration days. Wis. 254, 2 My
- 861 Leather pouch may be used for ballot box. Amending R.S.'99 §300. Wy. 29, 13 F

**862 Voting machines.** Proposing constitutional amendment allowing use of voting machines. *Vote November 1902.*

Cal. p.960, 12 Mr

**863 Governor to appoint 3 voting machine commissioners for 2 years; \$100 compensation for each commissioner examining and reporting on machine, to be paid by person applying for examination; requisites of machines; towns may adopt approved machines; secretary of state to prescribe rules for use.**

Ct. 120, 5 Je

**864 Providing for use of voting machines; governor to appoint bipartisan voting machine commission of 3 members; term 4 years; fees \$50 for each machine examined; paid by applicant; only approved machines to be used; regulations.**

Ind. 280, 15 Mr

**865 County commissioners may provide for use of voting machines by counties, townships and cities at general or primary elections; regulations; penalty for felony.**

Kan. 184, 5 Mr

**866 Cities and towns may buy voting machines approved by state commission.**

Me. 169, 6 Mr

**867 Amending '96 ch.909 as to use of voting machines.**

N. Y. 530, 25 Ap

**868 Submitting constitutional amendment providing that elections be by ballot or otherwise as long as secrecy is preserved.** *Adopted November 1901.*

Pa. 242, 5 Je

**869 Approved voting machines may be used at all elections; to be inspected by state returning board; regulations and restrictions.**

10 p. *Repealing 1900 ch.744.*

R. I. 359, 29 Mr

**870 Governor to appoint voting machine commission of 3 members, 2 to be mechanical experts; term 5 years; duty to examine and approve machines; qualifications of machines; regulations for use.**

Wis. 459, 14 My

#### Canvass. Contests

**871 Count. Canvass. Returns.** (*See also Election officers, 836*) Certified copies of result of votes to be posted at polling place and sent to county clerk. Amending P.C.'99 §1261.

Cal. 11, 14 F

**872 County clerk to make abstracts of votes cast for senators and representatives and on proposed constitutional amendments.**

Amending P.C. §1288.

Cal. 125, 14 Mr

**873 When election returns are received from counties, secretary of state to make estimate of vote and send copy to governor except in case of senators and members of assembly.** Amending P.C. §1290.

Cal. 133, 14 Mr

**874 Permitting 1 representative of each political party to witness count of ballots; felony to disclose progress of counting, result [formerly state of vote] or information till polls are closed.** Amending '99 p.372.

Id. p.16, 4 Mr

**875 Watchers representing each political party may be in room during election and canvass of votes.** Amending '97 ch.41.

Ind. 227, 11 Mr

- 876 In towns and after 2 p. m. in cities under 50,000 [formerly 100,000] counting of ballots may begin when election officers of voting precinct order. Amending '98 ch.548 §234.  
Mass. 89, 27 F
- 877 On application of 10 voters city or town clerk or election commissioners to furnish certified copy of voting list used at any caucus. Amending '98 ch.548 §125. Mass. 265, 9 Ap
- 878 Board of county canvassers may summon persons to bring ballot boxes, returns, poll books and tally sheets; may summon inspectors to correct returns; ballot boxes and papers to be returned to legal custodians. Amending C.L.'97 §3665. Mich. 67, 18 Ap
- 879 Rejected ballots to be counted on separate tally sheet; result of vote to be posted. Nev. 61, 18 Mr
- 880 Secretary of territory to canvass votes and issue certificates of election in council and house of representative districts composed of more than 1 county. Repealing C.L.'97 §1654-55.  
N. M. 48, 19 Mr
- 881 County board of canvassers of county containing city of 50,000 to 250,000 to be board of canvassers of city. Amending '96 ch.909 §130. N. Y. 208, 27 Mr
- 882 Abstracts of votes to be made from certified statements of election inspectors. Amending R.C.'99 §527. N. D. 81, 12 Mr
- 883 Governor and senate to appoint state returning board of 5; term 5 years with partial renewal; duties in general elections; salary \$500; regulations. 8p. R. I. 825, 6 Mr
- 884 Election inspector may send returns to county clerk by registered mail; fee 50c and postage. Amending S.'98 §78-79.  
Wis. 146, 6 Ap
- 885 Contests. Amending G.S.'94 §190 as to election contests.  
Minn. 365, 13 Ap
- 886 Attorneys representing members of legislature in election contests to receive not over \$100 for services. Neb. 34, 1 Ap
- 887 Regulating trial of actions contesting title to office; copy of complaint to be served 30 [formerly 10] days before the day of return. Amending C.'83 §616. N. C. 42, 29 Ja
- 888 Candidates for county offices may contest after result of election is announced. Okl. 14, 5 Mr
- 889 Amending C.'99 ch.6 §3 concerning appeal from county to circuit court in contest proceedings for county and district offices; appellant to make application and file bond approved by county court within 30 days from entering of final order in proceedings.  
W. Va. 80, 23 F
- 890 In contest for seat in legislature not over \$300 to be allowed contestant or contestee.  
Wis. 326, 8 My

Corrupt practices. Election offenses (See also Nominations, 760)

- 891 Misdemeanor to circulate anonymous printed matter referring to political candidates. Adding §62a-b to P.O. Cal. 138, 15 Mr
- 892 Repealing C.L. §3654 requiring candidates and election committees to report expenditures under oath. Mich. 61, 12 Ap

- 893 Amending C.S.'99 ch.26 art.3 §2-3 as to affidavits of expenditures of candidates for office in securing nomination and election.  
Neb. 30, 11 Mr
- 894 Penalty for illegal voting \$25 to \$100 [formerly \$50 to \$500] or [formerly and] imprisonment for 3 [formerly 6] months. Amending Crim.C. §182.  
Neb. 99, 15 Mr
- 895 Amending Crim.C. §197 as to penalty for destroying or tampering with ballot box or poll book.  
Neb. 100, 30 Mr
- 896 Amending Crim.C. §223 as to penalty for making wagers on elections.  
Neb. 108, 29 Mr
- 897 Amending Pen.C. §41 relating to crimes against elective franchise.  
N. Y. 371, 17 Ap
- 898 Prosecutions for violations of election law to be begun within 30 days. Amending '00 ch.1 §47-48, 52.  
N. C. 243, 22 F
- 899 Misdemeanor to induce person to refrain from registering or voting, pay employees in envelopes containing political motto or argument, or have in place of employment 90 days before election, placard or handbill threatening cessation of work if particular candidate is defeated.  
Or. p.160, 27 F
- 900 Penalty for intimidation or bribery of voters \$1000 and 5 years imprisonment [formerly any sum exceeding \$500 and incapability to hold office for 2 years]. Amending Ballinger's Codes '97 §7420.  
Wash. 142, 18 Mr

**National elections**

- 901 Apportioning congressional districts. Ark. 145, 23 My; Cal. 165, 23 Mr; Ct. 182, 17 Je; Fla. 29, 22 My; Ill. p. 3, 13 My; Ind. 72, 5 Mr; Mass. 511, 14 Je; Me. 164, 6 Mr; Minn. 92, 27 Mr; Mo. p. 87, 16 Mr; N. C. 441, 7 Mr; N. J. 55, 19 Mr; N. Y. 591, 27 Ap; Pa. 331, 11 Jl; R. I. 838, 28 Mr; Tenn. 109, 16 Mr; W. Va. 9, 18 F; Wis. 398, 13 My
- 902 Amending C.'96 §1657 as to place and time of meeting of electors of president and vice-president.  
Ala. p.106, 13 D 00
- 903 On receipt of returns of votes from congressional district, secretary of state to certify to governor person elected. Amending P.C. §1346.  
Cal. 132, 14 Mr
- 904 Presidential electors to be voted for by 1 mark. Amending G.S.'94 ch.1 §30.  
Minn. 109, 2 Ap
- 905 At general election next preceding election of senator for congress persons nominated for U. S. senator to be voted for by people, votes canvassed and duplicate returns sent to senate and house of representatives.  
Or. p.143, 26 F
- 906 General assembly next preceding expiration of term for which U. S. senator was elected to elect successor in senate.  
R. I. 809 §1, 29 Ja
- 907 Prescribing manner and time of electing presidential electors, duties of state returning board and of electors chosen; vacancies to be filled by election by members present at meeting. Repealing G.L.'96 ch.13.  
R. I. 827, 12 Mr

**Law making. Legislature**

- 908 Constitutional law. Applying to congress to call convention to amend constitution to provide for election of U. S. senators by popular vote. Ark. p.406, 25 Ap; Col. 51, 1 Ap; Mich. p.387; Neb. 122, 21 F; Nev. c.r.14, 20 Mr; N. C. p.1089, 13 Mr; Or. p.498, 23 F; Pa. c.r.10, 13 F; S. D. 161; Tenn. p.1210, 23 Ja; Tex. p.327, 17 Ap
- 909 Appointing legislative committee to confer with legislatures of other states and urge application to congress for constitutional convention to provide for popular election of senators.  
Ark. p.406, 23 My; Ga. p.502, 19 D 00; Pa. c. r. 14, 24 Ap
- 910 Requesting senators and representatives from this state to favor passage of bill introduced in congress seeking repeal of 15th amendment to constitution of U. S. Ala. p.87, 13 D 00
- 911 Governor to include in election proclamation constitutional amendments and other propositions submitted to vote; copies of propositions to be mailed to registered voters 20 days before election; no other publication required. Cal. 24, 23 F 99. *Unconstitutional*. Subject not included in title. *People v. Curry*, 62 P. 516.
- 912 Ratifying 13th, 14th and 15th amendments to U. S. constitution.  
Del. 235, 12 F
- 913 Applying to congress to call constitutional convention.  
Or. j.r.5, 25 Ja
- 914 Applying to congress to call constitutional convention.  
Wash. 164, 18 Mr
- 915 Direct legislation. On petition of 25% of local and 10% of general voters questions of public policy to be submitted to electors at general or special election; not over 3 questions at same election.  
Ill. p.198, 11 My
- 916 Referring to next legislature constitutional amendment providing for submission to people of act of legislature on petition of 10% of voters of state; when approved not to be overruled or suspended except by direct vote of people. Nev. p.139, 19 Mr
- 917 Submitting constitutional amendment providing for initiative and referendum. *Vote June 1902*. Or. p.4, 25 Ja
- 918 Submitting constitutional amendment providing for initiative and referendum. *Adopted November 1900 but legislature has failed to pass necessary legislation to put in effect.*  
U. '99 (not printed in session laws)

**Legislature**

- 919 Adjourned meeting for election of representatives to be held on *following Tuesday* [formerly next day]. Amending G.S.'88 §246.  
Ct. 37, 24 Ap
- 920 Referring to next legislature constitutional amendment permitting general assembly to pass local laws after approval by majority of electors at election held under order of court of common pleas. Pa. p.883
- 921 Defining power of senate to fill vacancies in offices to which appointment is usually made by governor. R. I. 809 §62, 29 Ja



- 922 Prescribing time and manner of election of members of general assembly; adjourned elections; elections to fill vacancies; after count, ballots to be delivered to state returning board; duties of clerks; penalties. **R. I. 828, 12 Mr**
- 923 Repealing G.L.'96 ch.19 §18 authorizing either house to order special elections to fill vacancies. **R. I. 852, 29 Mr**
- 924 Referring to next legislature constitutional amendment giving general assembly authority to enact local road, fence and stock laws. **Tenn. 79, 22 Ap**
- 925 Referring to next legislature constitutional amendment empowering legislature to provide manner of filling vacancies in general assembly. **Vt. '00 (not printed in session laws)**
- 926 Sessions. Apportionment. Dividing state into senatorial districts. **Ala. p.198, 5 Mr; Ark. 129, 27 Ap; Ill. p.6, 10 My; Me. p.141, 13 F; Mich. 189, 29 My; N. C. 498, 9 Mr; N. D. 143, 27 F; Wis. 309, 6 My**
- 927 Dividing state into representative districts. **Ala. p.199, 5 Mr; Me. r.236, 22 Mr; Mich. 205, 6 Je; Mo. p.204, 12 Mr; N. C. 379, 4 Mr; N. H. 103, 22 Mr; R. I. 849, 29 Mr; S. C. 347, 1 F; Wis. 164, 12 Ap**
- 928 Dividing state into senatorial and representative districts. **Cal. 164, 21 Mr; Col. 2, 29 Ap; Id. p.28, 8 Mr; Kan. 2, 28 F; Nev. 20, 26 F; N. J. 48, 19 Mr; Tenn. 122, 5 Ap; Wash. 60, 6 Mr; W. Va. 10, 11 F; Wy. 91, 19 F**
- 929 Submitting constitutional amendment providing for senatorial districts and that 1 senator be elected from each district. *Adopted October 1901.* **Ct. 179, 17 Je**
- 930 Submitting constitutional amendment; biennial sessions of assembly in odd [formerly even] years. *Adopted November 1900.* **Ia. j. r. 1, '00. Unconstitutional.** Amendment not entered in full on house journal. *State v. Brookhart, 84 N. W. 1064.*
- 931 Submitting constitutional amendment reapportioning representation in house of delegates. *Adopted November 1901.* **Md. 432, 7 Ap 00**
- Submitting constitutional amendment dividing Baltimore into 4 [formerly 3] legislative districts, 1 senator from each. *Adopted November 1901.* **Md. 469, 7 Ap 00**
- 932 Referring to next legislature constitutional amendment dividing Providence into assembly districts. **R. I. p.262, 27 Mr**
- 933 Redistricting committee may use enumeration of federal census. **Tenn. p.1260, 8 F**
- 934 Privileges. Qualifications. Service of attorney or litigant in legislature to be cause for extension of time in actions other than provisional remedy. **S. D. 61, 1 F**
- 935 Pay. Milage. Submitting constitutional amendment; pay [formerly by the day] of members of general assembly to be fixed by law. *Vote September 1902.* **Ark. p.412, 23 My**
- 936 Submitting constitutional amendment fixing compensation of members of legislature at \$500 for regular and \$5 a day and milage for special session. *Vote November 1902.* **Kan. 423, 28 F**
- 937 Granting \$2 a day additional to legislators from upper peninsula during session of 1901. **Mich. 15, 1 Mr**

- 938 Submitting constitutional amendment that members of legislature be paid \$1000 a term [formerly \$3 a day]. *Rejected April 1901.* Mich. p.381
- 939 Officers and employees. Committees on judiciary and engrossed bills to elect bill and engrossing clerks; duties of each; salary \$2500. Amending G.S.'88 §401. Ct. 1, 22 Ja
- 940 Fixing pay of members, officers and attachés of legislature. Fla. 8, 31 My
- 941 Increasing daily pay of clerks of legislature [formerly \$3]. Amending C.L.'97 §12. Mich. 175, 27 My
- 942 Amending '92 ch.682 as to officers and employees of senate and assembly and fixing compensation. N. Y. 467, 22 Ap
- 943 Next legislative committee on accounts of treasurer to examine expenses and number of employees of legislature. N. C. 631, 4 Ap
- 944 Amending R.O.'99 §28 relating to legislative officers and employees, and compensation. N. D. 117, 21 Ja
- 945 Clerk of senate may appoint assistant clerk and 2 janitors; clerk of house, an assistant clerk and 1 elevatorman, assistant clerks to receive \$8, janitors and elevatormen \$6 a day. Pa. 122, 10 My
- 946 Daily compensation of doorkeepers, assistant doorkeepers and pages of general assembly to be \$10, \$6 and \$2 respectively. E. I. 813, 31 Ja
- 947 Referring to next legislature constitutional amendment providing that lieutenant-governor be presiding officer of senate and grand committee [formerly governor was president and lieutenant-governor member]; senate to elect president pro tem *at organization* [formerly on disability of governor or lieutenant-governor]; secretary of state to be secretary of senate unless otherwise provided *by senate* [formerly by law]. E. I. p.261, 19 Mr
- 948 Senate to have 4 [formerly 2] stenographers, 2 *committee clerks to act as committee room attendants and 1 telephone attendant*; compensation. Amending S.'98 §111a, 112. Wis. 3, 24 Ja
- 949 \$15 a week for chaplains of senate and assembly. Wis. 33, 8 Mr
- 950 Fixing number, duties and compensation of officers and employees of legislature. Wis. 438, 15 My

Legislative procedure. (*See also Municipalities—Legislative board, 3385*)

- 951 Senate sitting as court of impeachment may adjourn from time to time and hold sessions when legislature is adjourned; president \$6 a day; others \$4. N. C. 648, 13 Mr
- 952 Bills. Committee on engrossed bills to consist of 2 [formerly 1] senators and 2 [formerly 3] representatives; bills, *resolutions* and proposed amendments to constitution when passed to be printed; engrossing clerk to certify correctness of printed copies; speaker of house and president of senate to sign bills; approval of governor. Amending G.S.'88 §415. Ct. 2, 24 Ja
- 953 Temporary president of senate and speaker of assembly to appoint 3 persons to draft bills and fix compensation; \$5000. Amending '92 ch.682 §23. N. Y. 88, 12 Mr

- 954 Abolishing office of enrolling clerk; secretary of state to supervise enrolling of bills. N. C. 631, 4 Ap
- 955 Procedure for awarding contract for engrossing and enrolling legislative bills; bids to be accompanied by certified check. N. D. 83, 6 Mr
- 956 Submitting constitutional amendment prescribing enacting clause. *Adopted November 1900.* U. '99 (not printed in session laws)
- 957 Chief clerks of senate and assembly to send copies of bills introduced in legislature to county clerks; county clerks to keep on file. Wis. 412, 14 My

## Laws. Codes

- 958 Construction of laws. Public acts of 1901 to take effect Aug. 1. Ct. 159, 17 Je
- 959 Revision. Codification. New codes or revisions have been issued in 1901 for Alaska (unofficial), Arizona, California (unofficial), District of Columbia, Illinois (unofficial), Indiana (unofficial), Idaho, Kansas (unofficial), Nebraska, New Hampshire (unofficial), New York (unofficial), Ohio (unofficial) and South Dakota (unofficial).
- 960 Code of civil procedure revised. 148p. Cal. 102, 8 Mr
- 961 Civil code revised. 101p. Cal. 157, 16 Mr
- 962 Penal code revised. 81p. Cal. 158, 16 Mr
- 963 Revision of general statutes adopted; to take effect July 1, 1902. Ct. 138, 11 Je
- 964 Governor to appoint 2 code commissioners; salary \$1250; attorney general to be chairman; \$2500 for services and \$9500 for printing and publication; selling price of sets. Id. p.57, 14 Mr
- 965 \$11,900 to buy 7000 copies of Dassel's general statutes of 1901; distribution. Kan. 10, 1 Mr
- 966 Appointing commissioner to codify general and public laws; governor to fill vacancy; revision to be complete and 500 copies printed and bound by January 1903; \$10,000 for salary and expenses. Me. r.221, 21 Mr
- 967 1500 copies to be printed of report of commissioners for consolidating and arranging public statutes; distribution. Mass. r. 19, 14 Mr
- 968 Commissioners for revising public statutes to receive \$7.50 a day; may employ clerical help; governor to call special session of general court in November to adopt revision. Mass. r. 111, 18 Je
- 969 Supreme court justices to appoint 3 commissioners to revise, codify and annotate general laws; to report to governor Dec. 1, 1902; compensation fixed by justices; \$35,000. Minn. 241, 11 Ap
- 970 Supreme court to appoint 5 district court judges to revise statutes; report; to be allowed hotel and traveling expenses. Neb. 79, 30 Mr
- 971 Governor to appoint 3 persons commission to revise and codify general laws not heretofore codified. N. J. 137, 22 Mr
- 972 \$10,000 for 1000 sets of revised and annotated code of Oregon; distribution by secretary of state. Or. p.117, 25 F
- 973 Code commissioner to be elected by general assembly; term 10 years; salary \$400; duties; divisions of code; distribution and sale. Amending '96. S. C. 394, 21 F

- 974 Governor to appoint commission of 3 to revise and codify laws; code to be passed on by legislature of 1903; \$14,000. S. D. 183, 11 Mr
- 975 Uniform laws. Repealing '97 ch.80 creating commission to promote uniform legislation. Cal. 44, 26 F
- 976 Governor with senate to appoint 3 commissioners to promote uniform legislation in U. S.; term 4 years; to serve without salary; report to governor. Pa. 191, 23 My
- 977 Governor and senate to appoint annually at January session of assembly member of board of commissioners to promote uniform legislation in U. S.; term 3 years beginning Feb. 1. Amending G.L.'96 ch.352 §1. R. I. 809 §57, 29 Ja
- 978 Commissioners to promote uniform legislation to receive no salary; traveling expenses not over \$100 each to be paid on approval of governor. Va. 291, 16 F

## Public documents. Printing

(See also Supreme court reports, 2246; Legal notices, 2653)

- 979 General. Amending C.'96 §3395 relating to places where public printing must be done. Ala. p.102, 13 D 00
- 980 Amending '99 p.40 fixing maximum rate for public printing. Ala. p.153, 28 F
- 981 Amending '95 p.229 relating to printing, publication and distribution of reports; \$100 fine for state officer not publishing his report by 10th day of legislative session. Col. 93, 27 Ap
- 982 Requiring printing of 35 [formerly 25] copies of session laws for each 1000 votes cast in preceding election; 1600 [formerly 1000] house and senate journals and 1000 [formerly 600] documentary journals; session laws distributed to counties on basis of 22 [formerly 32] for each 1000 votes in preceding election. Amending '97 ch.69. Ind. 65, 5 Mr
- 983 \$2500 for publication and distribution of report of Indiana Chickamauga Park commission; manner of distribution. Ind. 254, 11 Mr
- 984 7500 additional copies of 12th biennial report of state board of agriculture to be printed; 20,000 copies of future reports. Kan. 47, 5 Mr
- 985 Reports of commissioner of labor statistics, superintendent of insurance, state horticultural society, secretary of mine industries and state board of health to be made *biennially* [formerly annually]. Kan. 293, 2 Mr
- 986 \$500 for publication and general distribution of parts of annual report of state board of education and such other matter as secretary may deem suitable to promote education. Mass. 112, 6 Mr
- 987 Reports of public officers, boards and commissions may include abstracts or compilations of statutes. Mass. 257, 5 Ap
- 988 4500 copies of report of highway commission, 2500 of trustees of sanatorium, 1000 of state board of charities to be printed annually. Mass. 263, 5 Ap

- 989 4000 copies of map showing congressional districts to be distributed. **Mass.** r. 114, 19 Je
- 990 State auditor to buy 10,000 state maps in folder form for free distribution. **Mon.** p.203, 9 Mr
- 991 Governor to appoint biennially 5 state officers as public printing commission; state printing, binding and blankbook making to be ordered by commission; work to be done in state by residents; commission may buy printing materials. **N. H.** 84, 21 Mr
- 992 Reports, documents and other matter to be printed in Spanish on order of legislature. **N. M.** j.r.1, 7 F
- 993 Repealing '99 ch.250 relating to state printing; council of state, commissioner of labor and printing and attorney general to contract for, and commissioner of labor and printing to superintend state printing and binding; rates fixed. **N. C.** 280, 27 F
- 994 Board of state printing to include governor; board to determine number of laws to be printed. Amending '01 ch.280 §2. **N. C.** 401, 4 Mr
- 995 Printing board may fix time for delivery by printers of laws, journals and documents. **N. C.** 667, 14 Mr
- 996 Amending R.C.'99 §73, 76 as to public printing and appropriation thereof; governor and printing commissioners may eliminate matter and limit number of reports. **N. D.** 139, 13 Mr
- 997 Providing for state printing; secretary of state, controller and attorney general are printing board to advertise and let contracts; printing divided into 3 parts, legislative, department and session laws; minute classifications for bids. **N. Y.** 507, 23 Ap
- 998 Amending Hill's Ann.L. §3955 as to number of copies of laws, memorials, resolutions and documents to be printed. **Or.** p.270, 27 F
- 999 Referring to next assembly constitutional amendment for election of state printer. **Or.** p.471, 29 Ja
- 1000 Secretary of state to be commissioner of public printing, to classify printing and binding and fix compensation; distribution of documents; contracts. 10p. **S. D.** 181, 9 Mr
- 1001 Amending '99 ch.392 regulating public printing. **Tenn.** 72, 22 Ap
- 1002 State printing board to provide for printing laws and court reports at price not over \$2 a volume. **Tex.** p.328, 26 Ap
- 1003 Governor to appoint person to compile and index school laws; \$250; printing and distribution. **Vt.** 28, 27 N 00
- 1004 Commissioners of public printing [formerly governor] to appoint printing expert; salary \$1200 [formerly \$1800]; commissioners may require contractor to pay regular scale of wages; regulations. Amending '99 ch.118. **Wash.** 3, 12 Je
- 1005 Distribution. (See also Libraries—State aid, 611) Controller may print 375 additional copies of public documents for state librarian's exchanges and public libraries in state. **Ct.** 30, 16 Ap
- 1006 Journals of house and senate, annual reports and early state papers to be sent to public libraries, and on request, to towns having no public library and publishers keeping them open to public; public printer to deliver to state librarian 250 copies of

- state publications except session laws and state papers.  
Amending P.S.'01 ch.5-6; '81 ch.123. N. H. 71, 20 Mr
- 1007 Secretary of state to send copy of laws, journals, reports of state officers, messages of governor and state documents to chartered schools of state; schools to pay transportation. Amending Hill's Ann.L. §3964. Or. p.274, 27 F
- 1008 Secretary of state to provide libraries receiving state aid with copies of public laws. Amending G.L.'96 ch.22 §5. B. I. 832, 22 Mr
- 1009 Secretary of commonwealth to furnish librarian of congress with copies of state publications to complete files. Va. 349, 16 F
- 1010 Regulating distribution of state documents; library commission to arrange exchanges; duplicates may be sent. Wash. 46, 6 Mr
- 1011 **Manuals. Bluebooks.** 7000 copies of legislative manual to be printed in session years and 5000 in alternate years [formerly 3500 annually]; distribution. Amending G.S.'88 §321. Ct. 3, 14 F
- 1012 Manual and roll of general assembly to be transmitted to each member 7 days before session [formerly at opening of session]; to contain classified list of rulings of presiding officers of senate and house. Amending G.S.'88 §322. Ct. 53, 8 My
- 1013 Secretary of state may buy 550 copies of Maine state yearbook and legislative manual for 1901 and 750 copies for 1902; cost not over \$1.75 a copy; 150 copies a year to state librarian. Me. r.199, 19 Mr
- 1014 13,500 copies of manual of general court to be published annually; each member to receive 34 copies. Mass. 210, 27 Mr
- 1015 \$500 for printing guidebook of state house; distribution. Mass. r. 93, 6 Je
- 1016 Legislative manual to contain names of members, speakers and clerks of house of representatives and presidents and secretaries of senate of former legislatures [formerly for 10 years past]. Amending '99 ch.44 §25. Mich. 213, 6 Je
- 1017 20,000 [formerly 10,000] copies of legislative manual to be printed; president of senate to have 50 copies. Amending '99 ch.106 §1. Minn. 133, 4 Ap
- 1018 *Labor commissioner* [formerly secretary of state] to compile and publish blue book; 200 [formerly 120] copies to each member of legislature and elective state officer. Amending S.'98 §119-21. Wis. 405, 14 My
- 1019 \$2000 to publish pamphlet "The state of Wyoming" describing resources of state. Wy. 110, 19 F
- 1020 Publication of laws. Submitting constitutional amendment to abolish payment for publishing general laws in newspapers. Vote November 1902. Mich. p.389
- 1021 Laws to be published in weekly newspapers in pamphlet supplement on book paper within 40 days from close of session; publisher to be paid for only 1 paper; to make oath that supplement was furnished subscribers to all papers. Amending P.S.'01 ch.5 §7. N. H. 95, 22 Mr

- 1022 Advance sheets of laws to be printed within 10 days after signing by governor; to be distributed to any one on payment of \$2. Pa. 289, 21 Je
- 1023 1000 [formerly 500] copies of election law to be printed annually. Amending R.S.'99 §384. Wy. 24, 13 F

## Labor

(See also Mechanics liens, 1966; Convict labor, 4233; Mines, 5057; Railroads, 4427; Street railways, 4547)

### Statistics. Bureaus

- 1024 Creating labor commission; governor to appoint 2 members; term 2 years; qualifications; procedure in strikes; to act with district judge as board of arbitration; regulations; compensation; \$6000. Id. p.66, 12 Mr
- 1025 Consolidating labor departments; abolishing offices of commissioner of labor statistics, factory inspector and board of mediation and arbitration; governor and senate to appoint commissioner of labor; term 4 years; salary \$3500; commissioner to appoint 2 deputies; salary \$2500; regulations. N. Y. 9, 7 F
- 1026 Reorganizing labor department; governor to appoint commissioner for 4 years; salary \$1800; commissioner to act as factory, mill and railroad inspector, enforce labor laws and report biennially; he with coal mine inspector to constitute labor bureau. Repealing '97 ch.29. Wash. 74, 16 Mr

### Employer and employee. General regulations. Contracts

- 1027 Employment bureaus. Free public employment bureaus to be established in certain cities; commissioner of labor to appoint superintendents; \$2000 for each bureau; commissioner to license private employment agencies, bonds, registers, fees and restrictions. Ct. 100, 29 My
- 1028 County commissioners to authorize operation of labor agencies and employment bureaus; \$5000 bonds; penalty. Id. p.131, 11 Mr
- 1029 State free employment bureau created; director appointed by governor; term 2 years; duties; compensation; local agencies in cities over 2000; duties of local agents; reports. Kan. 185, 5 Mr
- 1030 Cities over 50,000 may conduct employment offices. Minn. 151, 6 Ap
- 1031 Employment offices to be licensed by mayor and aldermen of city or selectmen of town; license to name person, business and building or place of office. N. H. 60, 7 Mr
- 1032 Commissioner of labor may establish free public employment bureau; expense not over \$500 annually. W. Va. 15, 15 F
- 1033 Creating free employment offices in cities of 30,000; governor to appoint superintendent on recommendation of labor commissioner; term 2 years; salary \$1200; office to be opened and bear sign; separate rooms for registration of women applicants;

superintendent to communicate with manufacturers; to report weekly to labor bureau; contents of report; annual report; license \$100 annually for other employment agencies.

- 1034 Contracts. Illegal conditions. Misdemeanor to violate contract to labor. Wis. 420, 14 My  
Ala. p.131, 1 Mr
- 1035 Unlawful to entice away servants, laborers, *renters or share-ropers* under written contract. Amending C.'96 §5505.  
Ala. p.133, 2 F
- 1036 Employees to have right of action against employer for injuries resulting from employers' or coemployees' carelessness.  
Col. 67, 28 Mr
- 1037 Labor contractor not to receive fee for furnishing employment; laborers lodging houses to be inspected by health officer; agent of corporation not to overcharge laborers. Ct. 68, 17 My
- 1038 Misdemeanor for person or corporation to discharge or threaten to discharge employee for dealing or not dealing with particular person or for voting or not voting for particular person or measure. Fla. 131, 132, 22 My
- 1039 Misdemeanor to discharge or intimidate employee for joining labor union. Ill. p.98, 17 Je 93. *Unconstitutional*. Deprives of property without due process of law; class legislation favoring union laborers. Gillespie v. People, 58 N. E. 1007.
- 1040 Contracts releasing employer or third person from liability for injuries to employees are void. Ind. 225, 11 Mr
- 1041 Regulating job work in cotton, woolen and worsted factories; maximum length of cut or piece not to exceed 5% of intended length; members of inspection department of district police may enter factories and measure work. Amending '95 ch.144 §1. Mass. 370, 8 My
- 1042 Misdemeanor to break contract for service under which transportation has been received. Minn. 165, 6 Ap
- 1043 Street railway employees to have same rights and remedies for injury to person as employees of railroads. S. C. 405, 20 F
- 1044 Unlawful to use deception to procure employees or fail to mention strike or lockout; felony to hire armed guards except to protect private property or on permit of governor. Tenn. 104, 20 Mr
- 1045 Employee not to be compelled to board at particular house or trade at store. U. 44, 14 Mr

### Protection of labor. Factory laws

- 1046 Inspection. (*See also* Public health—tenements, 4865; Public safety—fire escapes, etc. 4875; Mines and mining, 5057) On complaint labor commissioner may examine and condemn unsafe scaffolding; procedure. Adding §12 to '83 ch.21. Cal. 23, 20 F
- 1047 Exhaust fans or blowers to be provided in workshops for machinery giving off dust, filaments or gases. Amending '89 ch.5. Cal. 176, 23 Mr



- 1048 Employer to provide safe appliances for benefit of employees and appoint competent vice-principal; to be liable for vice-principal's default. Ot. 155, 17 Je
- 1049 Repealing '93 ch.56 providing for appointment of shipping agents at ocean ports to superintend employment of seamen on ocean going vessels and protect them in fixing terms of employment. Fla. 77, 31 My
- 1050 Chief labor inspector with consent of governor to appoint not over 5 deputies, 1 chief deputy at salary of \$1500 [formerly \$1000], others \$1000; expenses paid but total not to exceed \$3000 [formerly \$1500]; total appropriations for department \$10,900 [formerly \$5900]. Amending '99 ch.142. Ind. 28, 26 F
- 1051 Protection of workmen on iron or steel framed buildings; floors of each story to be covered with close plank till finished; staging with close plank flooring to be placed under beams, girders or trusses 25 feet above floor; building inspectors to enforce; penalty \$50. Mass. 168, 20 Mr
- 1052 Revising factory inspection law; prohibiting employment of minors; inspectors; fire escapes; machinery guards; reports; tenements; sweat shops; hotels and stores to be inspected. Repealing O.L.'97 §5342-58. Mich. 118, 13 My
- 1053 Governor to appoint factory inspector for 4 years at \$1500 and expenses; inspector may appoint 7 deputies at \$100 a month and expenses for time employed; oath and bond; powers and duties; \$1 inspection fee; \$25,000. Mo. p.197, 17 Ap
- 1054 Inside closets to be provided in factories when required by labor commissioner. Amending '97 ch.415 §88. N. Y. 806, 9 Ap
- 1055 Law concerning factory inspection, employment in factories and tenement made articles to be posted in every workroom; public laundries to be visited by factory inspector; work not to be done in sleeping or living room; exceptions. Amending '97 ch.415 art.6. N. Y. 475, 477, 22 Ap
- 1056 Regulating manufacture of flour and meal products; minors and women not to be employed in bakeries over 12 hours daily or 60 hours a week; bakery not to be in cellar; minute regulations as to ventilation, plumbing, washrooms, sleeping rooms; consumptives and other diseased persons not to be employed; factory inspector to execute law. Pa. 37, 4 Ap
- 1057 Hearings on complaints of violation of act for healthful conditions in factories or requirements of factory inspector to be held before alderman or justice where information is lodged; decision final unless appealed from within 20 days. Amending '97, ch.37. Pa. 145, 11 My
- 1058 Minors and women not to work in factories more than 12 hours a day nor 60 hours a week; children under 13 not to be employed; from 13 to 16 to be employed on consent under oath of parent or guardian and if able to read and write English; seats for female employees; safety appliances; 45 minutes for noonday meal; fire escapes; inspection of boilers by factory inspector; factory inspector to appoint 25 deputies at \$1200

- salary, 5 to be women; chief clerk at \$1600, assistant at \$1100; expenses paid; copy of act to be posted in all factories; penalty \$500. Pa. 206, 29 My
- 1059 Governor and senate to appoint 2 factory inspectors, 1 a woman, at January session of assembly of 1903 and triennially thereafter. Amending G.L.'96 ch.68 §3. B. I. 809 §12, 29 Ja
- 1060 Factory inspector to receive *salary of \$1200 a year* [formerly fees of \$5 an inspection, maximum of \$1500 a year]. Tenn. 67, 22 Ap
- 1061 Factories to provide safety appliances for machinery; hatchways and trapdoors to be kept closed; separate rooms and seats for women employees; penalty; labor commissioner to enforce. W. Va. 18, 12 F
- 1062 Labor commissioner may license dwellings for manufacture of clothing and cigars; license to state maximum number of persons to be employed; inspection; inspector may require changes in rooms for sanitary purposes; manufacturers to keep register of work given out; owner of building not to permit unlawful manufacture. Wis. 239, 27 Ap
- 1063 Labor commissioner may appoint assistant factory inspector; salary \$1000 and travelling expenses. Wis. 409, 14 My
- 1064 Hours. (*See also* Holidays, 4961; Women and children. 1071) Lumber mills and camps to allow 1 hour for noon meal. Cal. 60, 28 F
- 1065 8 hours a day's work on state and local public works; stipulation to be in contracts. Cal. 172, 23 Mr
- 1066 Submitting constitutional amendment making 8 hours a day's work on public works. *Vote November 1902.* Cal. p.960, 12 Mr
- 1067 Submitting constitutional amendment providing for 8 hour day in underground mines, workings, blast furnaces, smelters and other dangerous places. *Vote November 1902.* Cal. 48, 14 Mr
- 1068 Employers to post in each room table showing number of hours work required each day, time of beginning and stopping and time allowed for meals; \$100 penalty for each offense. Amending '94 ch.508 §10. Mass. 113, 6 Mr
- 1069 8 hours a day's labor on state work; exceptions; contracts; penalty. Minn. 310, 13 Ap
- 1070 *Misdemeanor* to require more than 8 hours labor on public works. Amending R.S.'98 §1336. U. 41, 14 Mr
- 1071 Women and children. (*See also* Compulsory education. 435) Minors under 18 not to work more than 9 hours a day in manufacturing and mercantile employments; children under 12 not to be employed; record of minors under 16 to be kept by employer; notices to be posted. Cal. 205, 23 Mr
- 1072 Employer of child under 16 to obtain certificate from registrar or town clerk showing age to be over 14; fee; penalty for unlawful employment of child, \$60 for every week; \$20 penalty for false statement by parent. Amending G.S.'88 §1754, 2106-7. Ct. 110, 3 Je
- 1073 Misdemeanor not to provide seats in factories employing women or to oppose factory inspector. Amending '97 p.90. Ill. p.231, 10 My

- 1074 Proprietors of mercantile establishments employing women or girls to provide seats for use of such employees; penalty.  
Kan. 187, 5 Mr
- 1075 Minors under 18 not to be employed in manufacture of acids if injurious to health; state board of health to decide; penalty \$100 for each offense.  
Mass. 164, 20 Mr
- 1076 Forbidding employment of children under 12 [formerly 10] in factories; under 14 [formerly in factories] during school session; under 16 during school session if unable to read and write English; employed minor unable to read and write English to attend evening or day school; children 8 to 16 [formerly 14] to attend school; exemptions; state superintendent of public instruction to enforce law. Amending P. S. '01 ch.93.  
N. H. 61, 7 Mr
- 1077 §91 of '97 ch.415 relating to employment of women and children to be §92.  
N. Y. 478, 22 Ap
- 1078 Minors and women not to be employed in bakeries more than 12 hours daily or 60 hours a week.  
Pa. 37, 4 Ap
- 1079 Children under 18 not to be employed in athletic, theatrical or other exhibitions without consent of parents; penalty.  
Pa. 163, 16 My
- 1080 Misdemeanor to employ child under 14 [formerly 12] in workshop, factory or mine; proprietor to require parent's sworn statement of age unless known. Amending '93 ch.159.  
Tenn. 34, 10 Ap
- 1081 Females not to work more than 10 hours in 24; seats must be provided for them in all establishments where employed; penalty \$25 fine.  
Wash. 68, 11 Mr
- 1082 Child under 14 not to be employed in bowling alley, barroom or beer garden; owners to keep register of minors employed; consent of factory inspector. Amending '99 ch.274.  
Wis. 182, 15 Ap
- 1083 Seats to be provided for females in manufacturing and mercantile establishments; penalty \$30 for each offense.  
Wy. 33, 13 F
- Wages**
- 1084 Manner of payment. Assignments. Deductions. Firms and corporations to redeem evidences of indebtedness to employees in cash at face value; employees may sue to recover.  
Ark. 101, 15 Ap
- 1085 Unlawful for person or corporation to pay employees in scrip, token or credit redeemable otherwise than in lawful money; misdemeanor to coerce employees to buy goods or to charge above market value; coal mines having fewer than 20 men employed underground excepted.  
Ark. 161, 23 My
- 1086 Misdemeanor to pay employee wages in saloon or barroom. Adding §680 to Pen. C.  
Cal. 221, 23 Mr
- 1087 Requiring semimonthly payment of wages of employees by corporations; penalty.  
Col. 55, 10 Ap

- 1088 Checks payable in merchandise given for assignments of wages of employees in coal mines are at once payable in lawful money. Ind. 237, 11 Mr
- 1089 Misdemeanor to issue checks or tickets redeemable only in goods at place of business of party issuing. La. 71, 6 J1 94. *Unconstitutional*. Embraces two distinct objects. State v. Ferguson, 28 S. 917.
- 1090 Factory employees wages to be paid semimonthly; not more than 5 days wages to be withheld at any time; penalty. Mo. p.199, 20 Mr
- 1091 Employees wages to be paid in lawful money or by bank check; unpaid wages not to be assigned to employer; penalty. Mon. p.147, 7 Mr
- 1092 Persons or corporations paying employees wages in checks, orders or paper other than money to report annually to auditor general amount not redeemed within 30 days and pay to state 25% of amount unredeemed; penalty. Pa. 290, 24 Je
- 1093 Wages not to be paid in order, check or token payable otherwise than in lawful money unless negotiable and redeemable at face value; exceptions; penalty. S. C. 432, 20 F
- 1094 Misdemeanor to pay employees in orders redeemable only in goods; not to apply to orders given on request of laborer before monthly payday or by merchants to farm tenants. Tex. 112, 18 Ap
- 1095 Special rights. \$15 [formerly \$8] wages a week for head of family exempt from garnishment; suit for excess. Amending R.S.'90 ch.62 §14. Ill. p.214, 11 My
- 1096 Minimum wage for unskilled labor on public works of state, city, county or town to be 20c an hour; penalty. Ind. 122, 9 Mr
- 1097 In case of insolvency wages of employees to be preferred to claims of other creditors. Kan. 229, 1 Mr
- 1098 On judgment for labor by creditor court may investigate debtors financial condition and require payment in full or by instalments. Amending '98 ch.549. Mass. 176, 21 Mr
- 1099 Exempting from garnishment 80% [formerly \$25 or less] of wages of householder, limits \$8 to \$30; 40% of wages of non-householder, limits \$4 to \$15; plaintiff may introduce evidence contradictory to statements of garnishee. Amending C.L.'97 §991, 995, 999. Mich. 172, 27 My
- 1100 Wages for labor on public works to be at prevailing rate for similar work in same locality; contract to contain provision that it is void unless prevailing rate of wages is paid. N. Y. 567, 12 My 99. *Unconstitutional*. Deprives of property without due process of law. People v. Coler, 59 N. E. 716.
- 1101 Earnings of debtor for personal services exempt from execution when needed for support of family. Amending Hill's Ann. L. §313. Or. p.18, 13 F
- 1102 Salary or wages not over \$10 due debtor exempt from trustee process except when cause of action is for necessities furnished defendant; costs allowed at discretion of court. Amending '00 ch.751 §5 §12. R. I. 841, 28 Mr

- 1103 Wages of married judgment debtor for services rendered within 30 [formerly 60] days exempt from execution to \$30 a month. Amending R.S.'98 §3245. U. 31, 13 Mr
- 1104 In action of garnishment for necessities furnished defendant wages to be exempt to \$10 a week for 4 weeks [formerly \$100 a month]. Amending Ballinger's Codes '97 §5412. Wash. 189, 18 Mr

### Organization. Strikes. Arbitration

(See also Trade marks, 437; Mutual insurance, 4314)

- 1105 Labor unions. Felony to forge labor union credentials. Minn. 56, 16 Mr
- 1106 Union labels. Marks. (See also Trade marks, 437. Laws now usually more general than labor unions, but chiefly intended for them.) Fine not over \$100 for counterfeiting labor union labels; copy of label to be filed with secretary of state. Ala. p.146, 1 Mr
- 1107 Person, association or union of workingmen may adopt and file with secretary of state label or trademark; fee \$2; misdemeanor to counterfeit or use fraudulently; regulations. Fla. 90, 29 My
- 1108 Blacklisting. Discharge. Repealing '97, ch.31 preventing blacklisting and boycotting. Col. 36, 30 Mr
- 1109 Misdemeanor to blacklist employees. Tex. 99, 17 Ap
- 1110 Strikes. Arbitration. State board of arbitration may investigate strikes, and effect settlement. Amending '95 p.5 (special). Ill. p.90, 11 My
- 1111 Governor to appoint 3 persons as board of mediation and arbitration; for 3 years; \$5 a day and 3c a mile traveling expenses; employer and employee representing respective associations, and one who is neither; duties; decisions and exceptions; penalties. Mo. p.195, 7 Mr
- 1112 Reorganizing state board of arbitration. Governor and senate to appoint 3 persons, employer, employee and one who is neither; for 4 years; \$4 a day paid by parties to controversy; expenses paid by state; board has only advisory power. Repealing R.S.'98 §1324-35. U. 68, 14 Mr
- 1113 Governor to appoint commission of 3 members of house and 2 of senate to investigate need of state board of arbitration and report to legislature; \$200 for expenses. Wy. 60, 16 F

## Corporations

(See also Taxation of corporations, 1678; Insurance, 4264; Transportation, 4423; Light, Water, etc. 3425)

### General

- 1114 Fees for foreign and domestic corporations, joint stock companies and associations; annual report; penalty. Col. 52, 6 Ap
- 1115 Revising corporation law. 18 p. Ct. 157, 17 Je
- 1116 Amending '99 ch.278 as to organization, powers and obligations of corporations. 30p. General corporation law. 68p. Del. 166-67, 7 Mr

- 1117 Revising law relating to organization of voluntary associations.  
Ind. 127, 9 Mr
- 1118 Amending '98 ch.10 §6-7, 12-13 relating to corporations, charter fees, annual statements, penalty for not filing. Kan. 125, 27 F
- 1119 Corporations not otherwise provided for by statute may be formed to carry on lawful business; 3 or more persons to sign and file articles of association; capital stock at least \$1000 in shares of \$10; reports. Mich. 154, 22 My
- 1120 5 or more persons may form cooperative association; not to issue capital stock; interests to be equal; regulations.  
Nev. 60, 16 Mr
- 1121 Amending '96 ch.185, §18 as to common and preferred stock and dividends of corporations. N. J. 110, 21 Mr
- 1122 Domestic corporation except railroad, with principal business and property in state adjoining New York may with consent of holders of 95% of stock sell property excluding franchise to corporation of adjoining state. Amending '93 ch.638.  
N. Y. 130, 20 Mr
- 1123 General amendments to '92 ch.687-88, stock and general corporation laws. N. Y. 354-55, 16 Ap
- 1124 News corporations may admit other similar corporations, partnerships or companies as members. Amending '95 ch.559 §31.  
N. Y. 436, 18 Ap
- 1125 Revision of corporation law. 31 p. N. C. 2, 11 Mr
- 1126 Repealing '89 ch.170 prohibiting formation of corporation with capital over \$1,000,000. N. C. 47, 29 Ja
- 1127 3 or more persons may form corporation for profit; 2 must subscribe to charter, 1 being citizen of state. Supplementing '74 ch.32. Pa. 207, 29 My
- 1128 Corporations may be formed to establish and maintain theaters. Amending '74 ch.32. Pa. 214, 29 My
- 1129 Amending '75 ch.216 relating to merger and consolidation of corporations. Supplementing '75 ch.32. Pa. 216, 29 My
- 1130 Corporations may buy and sell stock of other corporations.  
Pa. 298, 2 Jl
- 1131 Manufacturing corporations may be formed to transact any lawful business; limitations. Amending '93 ch.314. Pa. 313, 9 Jl
- 1132 Private corporations may be formed, for real estate business; for organization of fruit, vegetable and tobacco companies; for dealing in mining stocks; for conducting undertaking and embalming. Amending R.S.'95 §642. Tex. 43, 2 Ap
- 1133 Incorporation by special act. Referring to next legislature amendment to constitution prohibiting formation of corporations by special laws. Or. p.471, 15 F
- 1134 Corporations formed by special act may renew charter before expiration; procedure; amendment or repeal; railroad, tramway and canal companies excepted. S. C. 402, 19 F
- 1135 If assembly amends charter granted by court, fees required had assembly granted original charter to be added to fees of court. Amending '00 ch.172. Va. 222, 15 F

- 1136 Articles. Incorporation. Certificates.** Certificate of incorporation to contain amount of capital stock paid in cash and in other property; names and addresses and number of shares of stockholders and amount paid in on each share. Amending '01 ch.157. **Ct. 170, 17 Je**
- 1137** Subscribing incorporators of corporation for profit to state amount subscribed by each; total to be not less than 10% of total capital stock authorized; subscribers liability; acknowledgment of signature. Amending R.S.'92 §2123. **Fla. 11, 31 My**
- 1138** Amending G.S.'94 §2594 as to publication of articles of incorporation. **Minn. 99, 28 Mr**
- 1139** Corporations to publish certified copy of articles of incorporation; to file certificate of publication with territorial secretary; penalty. **N. M. 77, 21 Mr**
- 1140** Certificate of incorporation of business corporation to contain names and addresses of subscribers of certificate; number of directors not limited [formerly not more than 13]. Amending '90 ch.567 §2, 8. **N. Y. 520, 24 Ap**
- 1141** Secretary of territory may issue to corporations amended charters signed by governor. **Okla. 11 art.1, 5 Mr**
- 1142** By agreement of incorporators corporation may be formed to last not over 100 [formerly 50] years. Amending R.S.'98 §315-16. **U. 81, 14 Mr**
- 1143** Failure to file articles of association with register of deeds does not affect validity of corporation. **Wis. 147, 6 Ap**
- 1144** Amendment and extension of charter. Railroad companies and other corporations may amend articles of incorporation by changing name or number of directors; procedure; rights; liability. **Ark. 99, 11 Ap**
- 1145** By two-thirds vote of capital stock summer resort association may within 8 years preceding expiration by limitation extend existence 30 years; regulations. **Mich. 12, 26 F**
- 1146** Amended articles of incorporation of company without capital stock may be filed by president and majority of directors authorized by majority of members at regular meeting. Amending C.L.'97 §8533. **Mich. 176, 28 My**
- 1147** By two-thirds vote of stockholders corporation may renew existence. Repealing G.S.'94 §3400. **Minn. 207, 10 Ap**
- 1148** Names. Corporate names must not duplicate names of other corporations. Amending C.C. §296. **Cal. 201, 23 Mr**
- 1149** Domicile. Residence of officers. Private business corporations incorporated in this state may hold meetings of stockholders in other states and perform corporate acts; proceedings to be deposited with agent in this state; statement of intention to be filed with secretary of state. **Ala. p.165, 4 Mr**
- 1150** Meetings. Elections. At election of directors of mining corporation, stock to be voted by bona fide holders as shown by books of corporation or duly indorsed certificate. **Cal. 118,**

- 23 Ap 80. *Unconstitutional*. Special legislation applying only to mining corporations. *Krause v Durbrow*, 60 P. 438.
- 1151 Referring to next legislature constitutional amendment repealing provision that stockholders of corporations be entitled to 1 vote for each share, in electing directors. Del. 1, 9 Mr
- 1152 All meetings of *directors of corporations other than mining and railroad* to be held at office in state. Amending R.S.'99 §973. Mo. p.88, 27 Mr
- 1153 No one to vote more than one eighth capital stock of corporation as proxy or proxy and shareholder [formerly no shareholder to hold proxy]; railroads excepted. N. H. 68, 20 Mr
- 1154 Regulating voting by proxy at meetings of corporations; holders of two thirds of stock of each class may exercise same power as holders of two thirds of stock. Amending '96 ch.185 §17. N. J. 119, 22 Mr
- 1155 Misdemeanor for person entitled to vote at meeting of stockholders or bondholders of corporation to sell vote or issue proxy for money. Amending Pen.C. §613. N. Y. 588, 27 Ap
- 1156 Married women, life tenants, personal representatives of deceased and trustees may vote corporation stock under their control. N. C. 474, 6 Mr
- 1157 Corporations to hold annual meeting of stockholders; each stockholder entitled to 1 vote for each share; may vote in person or by proxy for directors. S. C. 403, 8 F
- 1158 **Officers.** Board of directors of corporation to contain not less than 5 [formerly nor more than 11] members. Amending C.C. §305. Cal. 145, 15 Mr
- 1159 Number of directors of corporation not to be less than 5 [formerly nor more than 11]. Amending C.C. §290. Cal. 147, 15 Mr
- 1160 Amending '68 ch.23 §17 concerning private corporations; majority of directors may fill vacancies in board. Kan. 126, 5 Mr
- 1161 Amending '66 ch.36 relating to formation of corporations; majority of board of trustees to fill vacancies caused by failure to qualify. Nev. 43, 12 Mr
- 1162 2 members of board of directors of corporation to be residents of state. Amending '90 ch.563 §29. N. Y. 214, 28 Mr
- 1163 Majority of directors of corporation to be residents of state. Amending Hill's Ann. L. §3224. Or. p.306, 27 F
- 1164 Boards of directors of corporations not to contain less than 3 members; stockholders may authorize board of directors to increase or decrease their number. Pa. 51, 19 Ap
- 1165 Corporation may acknowledge deed, conveyance, mortgage or other instrument by attorney; forms. Pa. 137, 11 My
- 1166 Married women may be stockholders in corporations and vote for directors; may be directors or other officers. Amending C.'99 ch.66 §9. W. Va. 35, 22 F
- 1167 Increase or reduction of capital or of number or value of shares. Par value of stock to be not less than \$1 a share [formerly \$2]. Amending '94 §2797. Minn. 347, 13 Ap



- 1168 Capital stock or indebtedness of corporations may be increased as much as necessary with consent of holders of majority of shares; detailed regulations as to notice to stockholders, vote and returns to secretary of commonwealth. Pa. 1, 9 F
- 1169 By vote of stockholders par value of shares of corporations may be changed. Pa. 302, 2 JI
- 1170 Additional fee to be paid to state on increase of capital stock of corporations. Vt. 15, 22 N 00
- 1171 Stock certificates. Transfer. Lost or destroyed certificates of stock in corporations may be reissued in name of original holder; affidavit; publication of notice; liability of corporation; penalty. N. M. 53, 19 Mr
- 1172 Shares of stock in manufacturing corporations to have legal status of realty; transfer; holder exempt from taxation when corporation is taxed. S. C. 400, 19 F
- 1173 Felony to issue fraudulent, fictitious or illegal stock in corporation. Amending R.S.'98 §4413. U. 61, 14 Mr
- 1174 Payment of stock subscription. Certificate of incorporation of company to navigate canals to specify that 10% of capital stock has been subscribed and 10% of subscription paid. Amending '90 ch.566. N. Y. 483, 22 Ap
- 1175 Private corporations to have \$100,000 of capital stock paid in or 50% subscribed and 10% paid before doing business. Amending '97 ch.130. Tex. 15, 4 Mr
- 1176 Pledge of stock. Capital stock or bonds of corporations which have not defaulted in payment of interest or dividends within 2 years may be pledged as collateral in loans from savings banks. Amending G.S.'95 p.3016 ¶86. N. J. 148, 22 Mr
- 1177 Preferred stock. By *three-fourths* [formerly unanimous] vote of common stock corporation may issue preferred stock. Amending '93 ch.92. Ind. 197, 11 Mr
- 1178 Corporate articles of agreement to set forth amount of preferred stock and preferences, priorities, classification and character; when capital stock is increased same information required in statement to secretary of state. Amending R.S.'99 §1312, 1332-33. Mo. p.91, 9 Ap
- 1179 Corporations may issue preferred stock; 4 weeks notice of meeting to consider; two-thirds vote. S. C. 401, 19 F
- 1180 Dividends. Dividends of corporations not to be paid except from net annual receipts. Amending G.S.'94 §2921. Minn. 87, 26 Mr
- 1181 Bonds. Debts. Corporation to exhibit canceled bonds to secretary of state and pay \$1 fee for recording. Amending C.C. §1866. Ga. p.47, 18 D 00
- 1182 Property. Regulations. Corporation may mortgage property. N. H. 66, 20 Mr
- 1183 Owner of stock to 1000 shares in mining corporation may examine property; \$200 penalty. Wash. 120, 16 Mr
- 1184 Limit of property. Real estate corporations not to hold more than 3 [formerly 1] acres. Amending C.L.'97 §6943. Mich. 197, 31 My

- 1185 Aliens or corporations controlled by aliens not to hold over 500 acres of land; exceptions. Repealing '96 ch.91.  
S. C. 404, 19 F
- 1186 Real estate companies may own parcel of ground not more than 400 [formerly 150] feet square. Amending '85 ch.78.  
Tenn. 101, 13 Mr
- 1187 Conveyances. Contracts. Consolidation. Purchase of stock. Property, labor or services for corporations for profit may be paid for in capital stock at valuation fixed by directors. Amending R.S.'92 §2128. Fla. 12, 27 My
- 1188 Amending '75 ch.216 relating to merger and consolidation of corporations. Pa. 216, 29 My
- 1189 Corporations may buy and sell stock of other corporations. Pa. 298, 2 JI
- 1190 Reports. Examination. Revising law requiring annual report of corporations other than railroad, banking, building and loan and insurance to secretary of state. Ill. p.124, 10 My
- 1191 Stone quarrying corporations filing articles showing increase of capital stock not required to file treasurer's receipt with secretary of state. Amending G.S.'94 §3396. Minn. 245, 11 Ap
- 1192 Repealing '99 ch.77 §3-4 as to filing annual balance sheet by corporations. Amending '99 ch.77 §1 as to use of fees for filing certificates of incorporation. N. M. 20, 12 Mr
- 1193 List of corporations and amount of capital stock to be published in separate pamphlet; 10,000 copies to be distributed. Amending '74 ch.32. Pa. 252, 7 Je
- 1194 Repealing G.L.'96 ch.180 §11-12, 14 as to annual certificate of manufacturing corporations to be filed with town clerks; stockholders liable for paid up shares. R. I. 839, 28 Mr
- 1195 Deposits. Corporation with franchise for use of public streets receiving deposits from customers for payment of future expenses to pay 4% interest thereon if held more than 6 months; annual report. Mass. 470, 6 Je
- 1196 Actions against corporations. In actions by or against corporations, corporate existence need not be proved; exceptions. U. 48, 14 Mr
- 1197 Actions against stockholders and officers of corporations to be brought within time limited by laws of state under which incorporated; not to extend time fixed by Vermont laws. Vt. 34, 20 N 00
- 1198 Actions enumerated for enforcement of liabilities against corporations by S.'98 ch.140 not exclusive; additional actions may be brought. Amending S.'98 §3223. Wis. 129, 1 Ap
- 1199 On motion of attorney general or private party supreme court may issue injunction to commence action for annulment of charter of banking corporation. Amending S.'98 §3219. Wis. 175, 13 Ap
- 1200 Amending S.'98 §4096 relating to examination of parties before trial when corporation is plaintiff or defendant; regulations in case of foreign corporation. Wis. 244, 27 Ap

**Dissolution. Insolvency**

- 1201 Corporations failing to transact business for 2 years may be dissolved at suit of attorney general; resumption bars suit. Amending C.C. §358. Cal. 206, 23 Mr
- 1202 Court having chancery jurisdiction may wind up abandoned insolvent or unprofitable corporations at suit of stockholders. Va. 298, 16 Mr
- 1203 Liability of officers and stockholders. If capital stock of corporation is withdrawn and refunded to stockholders before debts are paid, stockholder liable for debts to amount refunded. Vt. R.L.'86 §3291-93. *Partly unconstitutional*. Impairs obligation of contracts made before passage. Barton Nat. Bank v. Atkins, 47A. 176.

**Foreign corporations**

- 1204 Railroad, mining, quarrying and manufacturing corporations organized in other states may have right of eminent domain by complying with laws. Ala. p.30, 5 D 00
- 1205 Foreign corporations may own stock in domestic corporations. Ala. p.89, 13 D 00
- 1206 Foreign corporations to file with secretary of state and county clerks copy of articles of incorporation and statement showing proportion of capital employed in state and counties respectively; penalty; exceptions. Ark. 216, 23 My
- 1207 Foreign corporations to file certified copy of charter in office of secretary of state and of county clerk of county where principal place of business is located; fees same as for domestic corporations. Cal. 93, 8 Mr
- 1208 Foreign corporations to maintain office in state; not to mortgage to injury of creditors; to file copy of articles of incorporation with secretary of state, and receive certificate to do business; exceptions. Ind. 265, 15 Mr
- 1209 Foreign corporations may hold and enforce liens on property in state; fees. Kan. 127, 5 Mr
- 1210 Foreign corporations may hold and foreclose mortgages and other securities and dispose of land within 3 years without filing statement required of local corporations. Kan. 260, 8 Mr
- 1211 Amending '84 ch.330 to require foreign building corporations to appoint commissioner of corporations attorney on whom process may be served. Mass. 238, 2 Ap
- 1212 Terms on which foreign corporations may do business in state; to file copy of charters or articles of incorporation; to appoint agents to receive legal service; statements and reports. Mich. 206, 6 Je
- 1213 Corporations organized outside U. S. to have office in state where requisite books shall be kept and where legal service may be obtained; railroad and insurance companies excepted. Amending R.S.'99 §1024. Mo. p.80, 13 Mr
- 1214 Repealing C.C. §1030-38 and stating conditions on which foreign corporations may operate. Mon. p.150, 9 Mr

- 1215 Foreign corporations doing business in state to publish annual statements and file copies with assessors. Nev. 108, 28 Mr
- 1216 Certificate of authority not to be granted to foreign corporation having same name as domestic corporation or one so similar as to deceive. Amending '92 ch.687 §15. N. Y. 96, 13 Mr
- 1217 Foreign corporation not to maintain action on contract unless certificate of authority secured before contract made. Amending '92 ch.687 §15. N. Y. 538, 25 Ap
- 1218 Requiring corporations having property and doing business in state to have officer or agent in state on whom process may be served; penalty, liability to forfeiture or repeal of charter. N. C. 5, 15 Mr
- 1219 Foreign corporation to appoint agents for service of process; *suit to be brought in county where agent resides or where cause for action arose.* Amending '93 ch.17. Okl. 11 art. 2, 20 F
- 1220 Foreign corporations to be subject to same liabilities and restrictions as domestic. Amending S.'98 §1770b. Wis. 434, 14 My
- 1221 Foreign corporation not filing charter or certificate with secretary of state forfeits right to do business; to pay \$5 for each day of failure. Amending R.S.'99 §3268. Wy. 83, 19 F

## Corporations not for profit

(See also Private educational institutions, 596; Mutual insurance, 4314; Charities, 4009; Agricultural associations, 5147; Exemptions from taxation, 1478)

**Membership corporations generally.** (Including religious, educational, social, scientific, benevolent, etc. Laws usually enumerate a long list of classes included but these are generally omitted in entries)

- 1222 Social clubs or societies not for profit may be incorporated; powers; prosecution by attorney general. Fla. 14, 27 My
- 1223 Agents of fraternal and building and loan associations and mutual insurance companies not for profit, organized under state laws, exempt from city license taxes. Kan. 261, 5 Mr
- 1224 Articles of association of corporations for prevention of cruelty to children and animals may be amended by two-thirds vote of members present at meeting and filing of amended articles; majority of members necessary to buy, sell or transfer property. Adding §6 to '99 ch.206. Mich. 201, 3 Je
- 1225 Correcting error in '99 ch.166 §5 as to bonds in which gifts to charitable societies may be invested. Mich. 229, 6 Je
- 1226 Majority of members present at meeting of association not for pecuniary profit may change original certificate of incorporation; amended certificate to be filed with county clerk and secretary of state. Supplementing '98 ch.181. N. J. 17, 27 F
- 1227 Charitable, religious and educational corporations may hold and convey property in trust. N. J. 198, 22 Mr
- 1228 Foresters of America may form corporation for acquisition of real property and erection and maintenance of buildings. Amending '92 ch.290. N. Y. 476, 22 Ap

- 1229 *Social clubs or associations not organized for fraternal insurance may become corporations; amount of property not to exceed \$100,000 [formerly \$50,000]. Amending R.C.'99 §3183-84.*  
N. D. 91, 7 F
- 1230 Corporations not for profit for encouragement of arts and sciences may issue bonds for \$500,000 [formerly \$200,000] Amending '87 ch.261. Pa. 294, 25 Jc
- 1231 Providing for incorporation of associations for charitable and religious purposes. U. 80, 14 Mr
- 1232 Officers. Corporations not for profit under special charters may create boards of trustees, their names and terms to be filed with recorder of deeds; rights of special charter persist when name, place and object change. Ill. p.127, 24 Ap
- 1233 Requiring incorporated associations not for profit carrying on business outside state to maintain office in state with resident agent on whom process may be served; certificate of incorporation to give location of office. Amending '98 ch.181. N. J. 121, 22 Mr
- 1234 Property. Charitable, educational, religious and fraternal corporations may hold real estate not over \$1,500,000. Amending '97 ch.97 §1. Mass. 96, 5 Mr

**Religious corporations**

- 1235 Any protestant episcopal church diocese may form corporation and manage property for benefit of religious, charitable or educational institution. Ind. 130, 9 Mr
- 1236 Regulating incorporation of church and missionary societies. Ind. 212, 11 Mr
- 1237 Amending '91 ch.55 §6 relating to incorporation of churches; extension of suffrage on certain questions to those who help support church. Me. 200, 16 Mr
- 1238 Evangelical Lutheran deaf mute institutions, may be incorporated; trustees 7 to 15; to file articles of association with secretary of state; may hold \$50,000 real estate. Free methodist churches may be incorporated; articles of association; 3 to 9 trustees; regulations. Mich. 28, 29, 26 Mr
- 1239 Ecclesiastical corporations connected with congregational churches may consolidate with church by two-thirds vote. Mich. 47, 8 Ap
- 1240 Providing for organization of congregational churches; 3 to 12 trustees; persons of legal age, members for 6 months, may vote; extinct churches. Mich. 53, 9 Ap
- 1241 Representative body of religious denomination may elect board of trustees to hold funds or property; 3 to 9 members; term 3 years; statement to be filed with secretary of state; trustees subject to bodies electing them. Mich. 89, 25 Ap
- 1242 On dissolution of religious societies property to be transferred to next higher governing or supervisory body of same denomination; procedure. Minn. 98, 28 Mr
- 1243 Congregations of protestant episcopal churches may be incorporated. Amending G.S.'95 p.2735. N. J. 62, 20 Mr

- 1244** Churches may be trustees of bequests of which income is to be used for improvement and care of cemeteries or tombs. N. J. 187, 22 Mr
- 1245** Trustees of incorporated protestant episcopal church not to sell or mortgage real property consecrated or used for religious services without consent of bishop and diocesan standing committee. Amending '95 ch.723 art.1 §11. N. Y. 222, 28 Mr
- 1246** Adding §93 to '95 ch.559 providing for election and duties of directors and trustees of young men's Christian associations. N. Y. 469, 22 Ap
- 1247** Religious corporations controlling land for cemetery purposes subject to C.C. art.4 ch.17 relating to transfer of cemetery lots. N. D. 50, 6 Mr
- 1248** Religious corporations may make bylaws providing for officers and directors; trustees, vestry or other like body to constitute board of directors. N. D. 146, 7 F
- 1249** Companies may incorporate to own and maintain tabernacles or other public buildings not for private profit. Amending '75 ch.142. Tenn. 125, 6 Ap
- 1250** Property of young men's Christian associations exempt from taxation. Amending '99 ch.141. Wash. 176, 13 Mr
- 1251** Articles of incorporation of churches to be recorded in office of register of deeds. Amending S.'98 §2001-16. Wis. 42, 9 Mr
- 1252** **Officers.** Ecclesiastical and cemetery associations to appoint committee of *not less than 3* [formerly 2], who with treasurer as ex-officio member shall invest donations; treasurer to report annually or oftener. Amending G.S.'88 §1875. Ct. 13, 28 Mr
- 1253** Repealing '99 ch.217 and restoring R.C.'93 ch.39 §2 as to election of trustees of incorporated religious societies. Del. 111, 2 Mr
- 1254** Board of trustees of methodist episcopal church to be elected by corporation [formerly from its members]; to hold office 1 year or till election and qualification of successors. Mich. 9, 20 F
- 1255** Ministers, elders and deacons of Christian reformed churches to be trustees; to hold and sell property subject to direction of church. Mich. 148, 22 My

### Banking and loan institutions

(See also Taxation, 1703)

#### General and miscellaneous

- 1256** Amending G.S.'88 §908 as to service of process on bank or trust company. Ct. 90, 29 My
- 1257** Amending G.S.'88 ch.108 as to state banks and trust companies; reserve; limit of liability; dividends; reduction of capital; reports to bank commissioners. Ct. 143, 14 Je
- 1258** Banks with capital stock of \$25,000 may be organized in cities or towns not over 6000; capital stock of savings banks may be divided into shares of not less than \$10. Amending R.S.'92 §2169. Fla. 13, 27 My

## SUMMARY OF LEGISLATION 1901

- 1259 Trust and banking companies to have guaranty fund; to make loans to officers only on approval of majority of directors; not to make loans on shares of capital stock nor establish agencies without consent of legislature. **Me.** 195, 16 Mr
- 1260 *Treasurers of trust, banking and safe deposit companies* to ascertain residences of stockholders; value of real estate, vaults and safe deposit plant of companies to be returned to assessors and used as basis of taxation. Amending R.S.'83 ch.46 §30. **Me.** 208, 19 Mr
- 1261 Banks of discount and deposit may hold and convey real estate mortgaged to them in good faith as security for debts [formerly contracted previous to execution of such mortgage]. Amending '76 ch.133. **Pa.** 50, 19 Ap
- 1262 Banks may reduce surplus 50% in improving real estate needed in transaction of business. **Pa.** 188, 21 My
- 1263 Banking and trust companies not to be formed as limited partnerships. Amending '99 ch.153. **Pa.** 314, 9 Jl
- 1264 Inspector of finance may extend time during which savings bank or trust company may hold real estate acquired by foreclosure to 8 years. Amending S.'94 §4107. **Vt.** 55, 26 N 00
- 1265 Banking law revised. Amending C.'99 ch.54 §76-81. **W. Va.** 83, 21 F
- 1266 Submitting constitutional amendment empowering legislature to enact general banking law. *Vote November 1902.* **Wis.** 73, 23 Mr
- 1267 *Inspection. Reports. Departments.* Bank commissioners may spend \$1200 [formerly \$500] for incidentals. Amending '95 ch.167. **Cal.** 33, 25 F
- 1268 Bank commissioner may authorize deputies or clerks to examine banks and building and loan associations. **Kan.** 63, 28 F
- 1269 Repealing '97 ch.47 §41 relating to lists of bank shareholders for inspection. **Kan.** 64, 27 F
- 1270 Board of commissioners of savings banks may print 100 copies of annual report exclusive of abstracts. **Mass.** 114, 6 Mr
- 1271 2800 copies of pt 1 of report of commissioners of savings banks to be printed annually. **Mass.** 240, 2 Ap
- 1272 Superintendent may examine agencies of foreign banks. Amending '92 ch.689. **N. Y.** 253, 4 Ap
- 1273 Services of banking department on account of foreign corporation to be paid by corporation. Amending '92 ch.687 §7. **N. Y.** 472, 22 Ap
- 1274 Amending R.C.'99 §3254 by increasing fees of state bank examiner. **N. D.** 94, 13 Mr
- 1275 Amending R.C.'99 §136, 141, 145 relating to state bank examiner's qualifications, salary and penalty for malfeasance. **N. D.** 170, 13 Mr
- 1276 Incorporated banks and savings institutions to file annually *by July 20* [formerly on notice of state auditor] statement of condition *on June 30* [formerly between Nov. 15 and Dec. 15]; treasurers of savings institutions *in July* every 5th year *beginning 1903* to file statement of deposits. Amending G.L.'96 ch.179. **R. I.** 851, 29 Mr

- 1277 Persons doing banking or trust company, or building and loan business to publish semiannual financial statement; national banks excepted. Tenn. 44, 22 Ap
- 1278 Inspector of finance to publish 1500 [formerly 1000] copies of reports of savings banks and trust, loan and investment companies. Vt. 9, 21 N 00
- 1279 Bank examiner may take charge of bank whenever satisfied of insolvency. Amending S.'98 §3023q. Wis. 317, 6 My
- 1280 Bank examiner with consent of state treasurer and approval of governor may appoint assistant deputy; salary \$1800. Wis. 467, 15 My
- 1281 Officers. Banking corporations may have 30 [formerly 24] directors. Amending '96 ch.452 §161. N. Y. 510, 24 Ap
- 1282 Bank director to own at least 5 [formerly 10] shares of capital stock. Amending '91 ch.27 §14. S. D. 62, 25 F
- 1283 President, vice-president, treasurer or assistant treasurer of savings bank not to be assistant cashier in bank of discount or trust company in state; majority of trustees not to be directors in same national or state bank or trust company. Amending S.'94 §4066. Vt. 52, 27 N 00
- 1284 Capital. Capital of banks in cities, towns or villages of 1000 or less to be \$10,000 [formerly 500 or less, \$5000]. Amending R.C.'99 §3231. N. D. 29, 11 Mr
- 1285 Loans. Reserves. Receipts of fireproof warehouses to be accepted in place of fire insurance policies required to protect bank loans. Amending '95 ch.145 §15. Minn. 107, 2 Ap
- 1286 Trust company not to make loan to director over one tenth of capital stock; loan requires consent of majority of directors. Amending '92 ch.689. N. Y. 660, 3 My
- 1287 Director of banking institution not to receive as loan over 10% of paid capital and surplus; capital stock not security for loan. Pa. 268, 14 Je
- 1288 Banks may loan money on bonds and mortgages not over amount of time deposits and may invest 25% of capital, surplus and undivided profits therein. Pa. 324, 10 Jl
- 1289 Liability of person to banking corporation not to exceed 15% of capital stock and surplus fund. Amending R.S.'98 §380. U. 16, 27 F
- 1290 When deposits amount to \$1,000,000 savings institutions and trust companies may loan over 5% thereof to 1 person. Amending S.'94 §4102. Vt. 53, 26 N 00
- 1291 Deposits. Regulating withdrawal of money from bank when certificate of deposit has been lost. Amending '99 ch.451. N. Y. 171, 22 Mr
- 1292 Amending '99 ch.451 §5 relating to discharge of bonds given to secure payments of lost certificates of deposit. N. Y. 503, 23 Ap
- 1293 Savings banks and trust companies may deposit aggregate of 20% of assets on call in U. S. depositories and in banks in Albany, Philadelphia and Concord. Amending S.'94 §4106. Vt. 54, 20 N 00



- 1294 Gift, sale or transfer of bank depositor's book to be in writing and copy delivered to bank; actions to recover deposits.

Wis. 390, 13 My

- 1295 Bank notes. State treasurer [formerly public examiner] to have charge of special fund for redemption of state bank notes.

Minn. 34, 11 Mr

- 1296 Providing for state banks of circulation; attorney general and treasurer to be board of bank appraisers to determine value of securities deposited; to appoint temporary bank inspector; 5 directors; regulations. 10p.

N. C. 769, 13 Mr

- 1297 Repealing '83 ch.104 providing for redemption of notes of Bank of Tennessee.

Tenn. 88, 30 Ja

- 1298 Repealing '85 ch.83 providing for redemption of post notes and notes less than \$5 of Bank of Tennessee.

Tenn. 89, 30 Ja

- 1299 Insolvency. Dissolution. Felony for insolvent bank officers to receive deposits; penalty for making false entries or statements.

Ark. 7, 12 F

- 1300 Receiver for insolvent bank shall [be] select[ed] from county where bank is located; reports to state banking board; inspection by state bank examiner; guaranty on bond of bank officers of incorporated surety company or 2 individuals; banking board may require report. Amending C.S.'99 ch.8 §35.

Neb. 9, 1 Ap

#### Savings banks

- 1301 Incorporation. Miscellaneous. Savings and loan corporations to sell real estate bought under mortgage within 10 [formerly 5] years; if capital stock of \$100,000 [formerly \$300,000] may invest in street and other railroad bonds. Amending C.C. §574.

Cal. 220, 23 Mr

- 1302 Certificate of title or title insurance policy to be lodged with savings bank making loan on real estate.

Ct. 31, 16 Ap

- 1303 Savings banks may hold real estate received in exchange for other property; to be sold within 10 [formerly 5] years. Amending '79 ch.109.

Minn. 247, 11 Ap

- 1304 In towns and cities under 3000, savings banks to have at least \$15,000 capital stock; all [formerly 50%] of capital stock to be paid into treasury before transaction of business; banks may reduce stock to \$15,000. Amending C.L.'97 §200. N. M. 56, 19 Mr

- 1305 Officers. Savings bank trustee who borrows funds vacates office. Amending '69 ch.51.

Ind. 95, 6 Mr

- 1306 Savings banks may increase managers to 13; three fourths must reside in county. Supplementing G.S.'95 p.3000.

N. J. 96, 21 Mr

- 1307 Majority of board of trustees of savings banks to be quorum. Amending '87 §7.

W. Va. 84, 21 F

- 1308 Deposits. When money is deposited in bank in name of 2 persons, payable to either, receipt of payment by either to discharge bank. Supplementing G.S.'95 p.3000. N. J. 87, 21 Mr

- 1309 Savings bank trustees to fix rate of semiannual dividends on deposits at not over 1 3-4% [formerly 2%]. Amending S.'94 §4110.

Vt. 56, 27 N 00

Corporations

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NEW YORK STATE LIBRARY

- 1310 **Investments. Reserves.** Specifying new securities in which savings banks may invest; *no railroad bonds legal investment if railroad fails to pay dividends on all capital stock.* Amending G.S.'88 §1800. **Ct. 48, 30 Ap**
  - 1311 Amending '79 ch.109 relating to savings bank investments. **Minn. 210, 10 Ap**
  - 1312 Amending '94 §2562 relating to savings bank investments. **Minn. 297, 13 Ap**
  - 1313 **Regulating and limiting investments of savings banks;** may hold real estate acquired by foreclosure; call deposits to be made in bank or trust company incorporated in state of Massachusetts, or national bank. **N. H. 114, 22 Mr**
  - 1314 **Available fund of savings banks may be loaned on 1st mortgage bonds of railroad companies.** Amending '92 ch.689 §118. **N. Y. 406, 17 Ap**
  - 1315 **Savings bank may loan on personal notes of depositor not over 90%** [formerly 50%] of deposits; to reserve for guaranty fund  $\frac{1}{8}\%$  to  $1\frac{1}{2}\%$  [formerly  $\frac{1}{4}\%$ ] till fund is 10% of deposits; may pay dividends oftener than 6 months; net profits *may* [formerly shall] be divided once in 3 years. Amending '87 ch.412. **N. C. 770, 14 Mr**
- Trust, safe deposit and investment**
- 1316 **General and miscellaneous.** Organization of trust and safety deposit companies \$25,000 paid capital; court may examine. **Id. p.26, 16 Mr**
  - 1317 **Loan and trust and safe deposit companies to report to state auditor obligations incurred by becoming surety for persons and amount of premiums received; rules for estimating condition.** **Ind. 114, 7 Mr**
  - 1318 **Foreign trust or investment companies to secure license and deposit \$25,000 stocks or bonds with auditor before issuing bonds.** **Ind. 215, 11 Mr**
  - 1319 **Foreign investment companies to file detailed statement of condition with state auditor and secure his certificate before doing business; to report annually to auditor, and be subject to examination by him; license fee \$100 annually, and \$5 for each agent.** **Ind. 238, 11 Mr**
  - 1320 **Organization of trust companies may do banking, safe deposit, title and fidelity insurance business; examination by bank commissioner; reports.** **Kan. 407, 2 Mr**
  - 1321 **Limiting liability of person or corporation to safe deposit, loan and trust companies with capital of \$500,000.** **Mass. 255, 5 Ap**
  - 1322 **Trust companies may loan on personal security and receive demand deposits.** Amending C.C. §604. **Mon. p.148, 15 Mr**
  - 1323 **Trust company with principal place of business in county of 65,000** [formerly 100,000] to 300,000 may be guardian, trustee or administrator. Amending '93 ch.337. **N. Y. 443, 20 Ap**
  - 1324 **Organization of savings and trust companies; capital stock \$200,000 to \$10,000,000; 5 to 25 directors elected by stockholders;**

- term 1 to 3 years; annual report to stockholders and secretary of territory; stockholder liable for debts; inspection by bank examiner. **Okl.** 11 art.5, 8 Mr
- 1325 Revision of laws relating to incorporation and regulation of title and trust companies. **W. Va.** 85, 7 F
- 1326 Mortgage, loan and investment companies. Corporations for receiving, loaning and investing money may lend on 1st mortgage [formerly not over \$3000]; interest not over 9% [formerly 10%; reduced to 7% in 1899]. Amending C.L.'97 §6197-99. **Mich.** 184, 29 My
- 1327 State treasurer may permit bond investment companies to interchange deposits of cash and securities; to return deposits when companies cease to do business in state. Amending '97 ch.94. **Tex.** 116, 18 Ap

**Building, loan, savings associations.** (The names of these organizations vary somewhat but the powers and regulations do not depend on the name. The ordinary phrase is building and loan associations, but they are elsewhere called savings and loan associations, cooperative loan associations, etc. and in Massachusetts cooperative banks)

- 1328 Incorporation—general. Revising law for incorporation and regulation of building and loan associations; 5 persons may incorporate; articles and bylaws to be approved by secretary of state; corporate powers; shares; loans; examinations; fees. 10p. Amending C.L.'97 §7574-606. **Mich.** 17, 12 Mr
- 1329 5 or more persons may incorporate to erect and own dwellings, apartment houses, storerooms, factories and power buildings. Amending C.L.'97 §6959. **Mich.** 183, 29 My
- 1330 Laws relating to building and loan associations revised. 21p. **Minn.** 233, 11 Ap
- 1331 Stock of mutual saving fund, building and loan association not to be matured or money paid thereon without approval of supervisor; speculating in stock of association by officer a misdemeanor; supervisor to take charge of affairs of unsound association; association not to cease business or try to liquidate affairs before maturity of stock without consent of all stockholders and of supervisor. Amending R.S.'99 §1369, 1374. 1392. **Mo.** p.93, 26 Mr
- 1332 Amending '92 ch.689 as to mutual loan corporations and cooperative loan associations. **N. Y.** 328, 11 Ap
- 1333 Miscellaneous regulations. Loans by building and loan associations made on stock to be accompanied by transfer and pledge of at least 1 share in addition to other security. Amending C.C. §638. **Cal.** 104, 11 Mr
- 1334 Savings and loan corporations not to loan for longer period than 10 years. Amending C.C. §571. **Cal.** 135, 15 Mr
- 1335 Fee of receiver of building and loan association limited to 3% of funds handled; attorney's limit \$20 a day, \$1000 total. **Ill.** p.206, 10 My
- 1336 Loan and building association may provide for rate of annual interest of not under 5% nor over 8% [formerly not over 8%] on loan. Amending '87 ch.61 §139. **Me.** 149, 26 F

- 1337 Mutual savings and building and loan associations may receive bids of premium for priority. Pa. 229, 4 Je
- 1338 Inspection. Reports. State examiner to examine building and loan associations at least *twice* [formerly once] annually; fee \$10 [formerly \$20] for first \$100,000 assets, \$5 [formerly \$10] for each additional \$100,000. N. D. 46, 13 Mr
- 1339 Foreign associations. Regulating foreign building and loan associations; \$100,000 in cash or approved bonds or mortgages to be deposited with secretary of state; secretary of state to issue certificate of authority; examinations. Mich. 14, 1 Mr
- 1340 Foreign mutual savings or building and loan associations to have certificate of authority of commissioner of banking, deposit \$100,000 in bonds, pay \$100 on issue of certificate and annually thereafter, designate agent on whom process may be served, pay \$100 for each authorized agent; revocation of certificate; penalties. Pa. 124, 11 My
- 1341 Foreign building and loan associations to have examiner's certificate of solvency and pay auditor \$50 before doing business. Wy. 44, 16 F
- Trusts. Combinations. Monopolies**
- 1342 General laws. Forbidding trusts and combinations to compel person to cease manufacturing any article or go out of business; penalty, forfeiture of charter. Ind. 107, 8 Mr
- 1343 Combinations to control prices, illegal; boycotting unlawful; district courts to enforce. Minn. 194, 10 Ap
- 1344 Revision of '99 ch.666, antitrust law; defining trust; attorney general to prosecute; \$500 penalty; contracts void; charters forfeited; regulations. N. C. 586, 11 Mr
- 1345 Special regulations. Unlawful to sell goods on contract that purchaser is not to deal in goods of another firm. Mass. 478, 7 Je

## Finance

### State finance

(See also School finance, 278)

- 1346 Debts. Bonds. State treasurer to redeem outstanding bonds except issue of 1899; procedure;  $\frac{1}{4}$  mill tax to create general sinking fund. Ark. 142, 3 My
- 1347 Submitting constitutional amendment exempting state and local bonds from taxation. *Vote November 1902.* Cal. p.950, 8 Mr
- 1348 Governor may refund at 3% state bonds held by educational funds. Fla. 63, 31 My
- 1349 Governor and controller general to levy tax of \$100,000 as sinking fund for maturing state bonds; regulations. Ga. p.37, 19 D 00
- 1350 Authorizing issue of \$117,000 20 year 4% bonds for claims against state from 1895 to 1900; provisions; license income to constitute sinking fund. Id. p.33, 21 Mr
- 1351 Amending '99 p.459 relating to issue of bonds for public buildings; sinking fund and investment. Id. p.163, 12 Mr

- 1352 Providing for issue of \$180,000 state 4% refunding bonds; regulations; \$200 for expenses. Id. p.227, 14 Mr
- 1353 Authorizing state loan of \$47,000 for educational purposes. Nev. 70, 19 Mr
- 1354 Time to fund and settle state debt extended to Jan. 1, 1903; cancellation by treasurer of certain coupons before delivery. Amending '79 ch.98 §11. N. C. 126, 8 F
- 1355 Board of equalization to levy annual tax to pay state bonds at maturity. N. D. 43, 6 Mr
- 1356 Repealing R.C.'99 §966a providing for issue of certificates of indebtedness for equipment of deaf and dumb asylum. N. D. 66, 6 Mr
- 1357 State board of equalization to levy tax to pay bonds issued by territory of Dakota for construction of insane hospital at Jamestown. N. D. 153, 5 Mr
- 1358 State treasurer to negotiate \$150,000 state funding warrants. N. D. 177
- 1359 Repealing '91 ch.125 assigning \$100,000 annually to sinking fund. Pa. 237, 4 Je
- 1360 Repealing '91 ch.4 assigning \$400,000 annually to sinking fund. Pa. 238, 4 Je
- 1361 Member of board of commissioners of sinking fund to be elected annually at January session of assembly; term 2 years beginning Feb. 1; commission to report to assembly at *January* session [formerly adjourned session in Providence]. Amending G.L.'96 ch.32 §4, 8. B. I. 809, §3, 29 Ja
- 1362 State treasurer to issue \$700,000 statehouse construction bonds at not over 6%; not to be sold below par; sinking fund. B. I. 814, 7 F
- 1363 State treasurer and auditor to transfer to bond interest and sinking fund proceeds of tax to provide fund for payment of \$100,000 issued under '97 ch.30. Repealing '93 ch.151. S. D. 186, 25 F
- 1364 Funding board to buy outstanding state bonds at *such times not exceeding quarterly periods as it may determine* [formerly end of each quarter]. Amending '99 ch.8 §2. Tenn. 110, 20 Mr
- 1365 State funding board *may* add to sinking fund 10% of state treasury receipts and all surplus funds and pay state indebtedness at *any time* [formerly end of year]. Amending '99 ch.8. Tenn. 171, 22 Ap
- 1366 Extending time for funding state debt to Dec. 31, 1901. Amending '00 ch.240. Va. 264, 16 F
- 1367 Interest on loans from state trust funds payable Feb. 1. Wis. 72, 23 Mr
- 1368 Claims against state. Refunding license money collected under '99 p.164 which was declared unconstitutional. Ala. p.102, 13 D 00
- 1369 Petition to general assembly for damages not to be heard unless given to attorney general within 90 days of injury. Ct. 103, 29 My

- 1370 Bills and claims against state not to be audited till full itemized statement is filed; forms of oath. N. D. 49, 5 Mr
- 1371 Court of claims may order other parties to be made parties to action, consolidate claims or order interpleader same as other courts. Amending C.C.P. ch.3 t.3 art.1. N. Y. 286, 5 Ap
- 1372 Amending C.C.P. §269 as to payment of awards by court of claims; certificate of clerk of court and attorney general and waiver of attorney for claimant to be deposited with controller before payment. N. Y. 440, 19 Ap
- 1373 Public examiner to adjust claims against state incurred in unorganized counties. S. D. 205, 11 Mr
- 1374 State board of examiners to investigate outstanding juror and witness certificates and determine liability of state. U. 66, 14 Mr
- 1375 Accounts and methods generally. Collection of moneys. Warrants. Funds in state treasury to be consolidated; regulations for drawing full and pro rata warrants by auditor; not to apply to school and pension funds. Ala. p.205, 5 Mr
- 1376 State warrants and certificates to bear  $\frac{1}{2}\%$  [formerly  $6\frac{1}{2}\%$ ];  $5\%$  on warrants and certificates on capitol building fund. Amending '85 p.204. Col. 75, 1 Ap
- 1377 Amending G.S.'88 §379 as to estimates of state expenses; fiscal year begins Oct. [formerly July] 1. Ct. 51, 8 My
- 1378 Unpaid state warrants to draw  $6\frac{1}{2}\%$  [formerly  $7\frac{1}{2}\%$ ]. Amending '83 p.168 §238. Id. p.107, 11 Mr
- 1379 Public books to be kept by state officers receiving fees or public money; provisions. Id. p.208, 14 Mr
- 1380 Transferring state sinking fund to general fund. Neb. 73, 27 F
- 1381 Attorney general, state treasurer and auditor may compromise claims of state against persons or corporations. Neb. 74, 1 Ap
- 1382 Governor and council to audit incidental state expenses. Repealing P.S.'01 cn.20 §6. N. H. 74, 20 Mr
- 1383 Governor, state auditor and attorney general to be state auditing board; monthly meetings; no warrant to be drawn on treasury unless approved by board. N. D. 33, 8 F
- 1384 Amending R.C.'99 §338d as to consecutive numbering and payment of vouchers presented to state auditor. N. D. 209, 5 Mr
- 1385 Moneys for maintenance of capitol and expenses of legislative assembly exempted from R.C.'99 §338d requiring consecutive numbering and payment of vouchers presented to state auditor. N. D. 210, 25 Ja
- 1386 Warrants to be drawn by state auditor on treasurer for payment of money directed by law, from funds applicable in treasury or in process of collection. N. D. 211, 15 F
- 1387 Present public building funds and part accumulating in coming 2 years to be invested in  $6\frac{1}{2}\%$  warrants at cash value; provisions; assets to be carried as public building fund. Okl. 25 art.1, 8 Mr
- 1388 Fiscal year from July 1 to June 30. Amending '97 ch.32 art. 1 §1. Okl. 27 art.1, 16 F
- 1389 Funds from bank commissioners' fees, insurance licenses and fees, conscience money and interest on daily balances to be transferred by treasurer to general fund. Okl. 30, 6 Mr

- 1390 Warrants not to be drawn on treasury unless appropriation has been made; certificate of allowance to be given for lawful claims which can not be paid. Or. p.293, 27 F
- 1391 County treasurers to pay state treasurer on May 1 *one half* state taxes, remainder by Nov. 1; penalty legal interest on amount unpaid. Amending Hill's Ann.L. §2813. Or. p.79, 23 F
- 1392 State treasurer to deposit semiannually with secretary of state warrants paid. Or. p.301, 27 F
- 1393 Fiscal year to end Aug. 31 and appropriations to conform; reports to close at same date; reports to legislature or governor to be transmitted Nov. 1 or earlier and printed *as soon as practicable*. Amending R.S.'85 §2504-7. Tex. 9, 12 F
- 1394 State controller not to deliver pension warrants to other than pensioner. Tex. p.325, 13 Mr
- 1395 Checks not presented within 3 years not to be paid by state depositories; if state treasurer's check, treasurer to credit it to state fund and charge to depository on which drawn. Amending C.'99 ch.17 §5. W. Va. 96, 12 F
- 1396 Fiscal year *July* [formerly Oct.] 1 to *June* [formerly Sep.] 30. amending S.'98 §158. Wis. 400, 14 My
- 1397 Governor to establish central system of accounting for state departments and institutions; reports from state boards and officers; deposits of money; regulations. Wis. 433, 15 My
- 1398 Commissioners of public lands to compute amount of drainage fund due several counties and certify to secretary of state; payment by state treasurer; rules for computing. Wis. 444, 15 My
- 1399 **Deposits and depositories.** Treasurer, auditor, secretary of state, attorney general and public examiner to be board of deposit to designate and supervise depositories of state funds; regulations. Minn. 140, 4 Ap
- 1400 State treasurer to deposit receipts in banks in *cities of state* [formerly Albany and New York] paying highest interest. Amending '97 ch.413 §8. N. Y. 678, 3 My
- 1401 Banks designated as state depositories may deposit surety company bond for sum equal to funds received. Amending R.C.'99 §238. N. D. 169, 11 Mr
- 1402 Interest paid on state funds by depositories to be added to fund on which paid. Amending S.'98 §160f. Wis. 346, 13 My
- 1403 **State institutions.** Auditor not to draw warrant in favor of state institution till itemized statement of receipts and expenditures has been filed. Ind. 58, 4 Mr
- 1404 Creating separate funds in state treasury for state institutions. Amending R.S.'99 §7808. Mo. p.184, 13 Mr
- 1405 Managers of territorial institutions to keep itemized accounts of receipts and disbursements; duplicate bill to accompany requisition on auditor; detailed statement to governor for fiscal year; penalty; list of pupils of educational institutions to be sent to governor. N. M. 98, 21 Mr

- 1406 Funds belonging to agricultural college, deaf and dumb asylum, state university and school of mines to be paid over quarterly by state auditor; to be used for maintenance. N. D. 138, 13 Mr
- 1407 State institution funds to be paid out only on warrant of state auditor. Amending '90 ch.137. S. D. 115, 28 F
- 1408 State treasurer to invest funds rising from lands donated by congress for agricultural colleges and experiment stations on order approved by president, vice-president and treasurer of board of trustees [formerly by all trustees present]. Amending R.S.'99 §520. Wy. 14, 9 F

### Public lands

(See also School lands, 231; Agriculture, 5115)

- 1409 General and miscellaneous. State board of land commissioners may extend notes for public lands 10 years; rent for more than 2 years lease to be paid 2 years in advance; regulations. Amending '99 p.72 §8, 16-17, 23. Id. p.201, 16 Mr
- 1410 Governor to take steps to secure for state balance of 5% interest due from U. S. from sale of Pawnee Indian reservation. Neb. 121, 30 Mr
- 1411 State to act as agent for citizens desiring to reclaim land; to issue patents free; state land register to keep lists of applications; to grant land only to bona fide settlers, not over 160 acres to person; regulations. Nev. 32, 6 Mr
- 1412 Governor to appoint state agent at Washington to represent state land interests, specially grants made by congress; compensation. Nev. 74, 19 Mr
- 1413 Amending '99 ch.74 as to duties and powers of board of public lands concerning sale of timber, right of pasturage, disposition of funds rising from sales and contracts for construction of reservoirs. N. M. 69, 20 Mr
- 1414 Accepting act of congress of Aug. 18, 1894, granting desert land to state; regulations concerning irrigation and reclamation. Or. p.378, 28 F
- 1415 Misdemeanor to trespass on or remove timber from school and public lands; justice of peace of county to have jurisdiction and state's attorney to prosecute. Repealing Ann.S.'99 §332-34. S. D. 184, 8 Mr
- 1416 Regulating sale and lease of public lands; classification and valuation of lands in each county to be sent by general land office commissioner to county clerk; regulations. Tex. 125, 19 Ap
- 1417 State board of land commissioners to consist of governor [formerly and secretary of state] and 4 [formerly 5] appointees; secretary's salary \$1800 [formerly \$1500]; settlers under U. S. laws may buy from state by making first payment of 25c an acre; board to grant rights of way for irrigation. Amending '99 ch.64. U. 35, 13 Mr
- 1418 Accepting desert lands granted by congress; to be selected by state board of land commissioners; regulations concerning settlement and irrigation. U. 56, 14 Mr



- 1419 Regulating appeals from state board of land commissioners to superior court. **Wash. 62, 8 Mr**
- 1420 Amending S.'98 relating to general land office; salaries; duties of commissioners; fees; private sale; chief clerk to be forest warden; examination of lands. Repealing '99 ch.258. **Wis. 432, 15 My**
- 1421 When important question of law or fact to be decided by contest is pending before state board of land commissioners, board may on its own motion or that of either party transfer proceeding to district court of county where land is situated. **Wy. 68, 16 F**
- 1422 **Sale. Settlement. Appraisal.** Levee boards to furnish state land commissioner lists of lands sold; lands to be assessed for taxation; procedure. **Ark. 94, 11 Ap**
- 1423 Real estate bank and state bank lands to be sold by commissioner of state lands at \$1.25 an acre; present occupants to have exclusive right to buy within 1 year; commissioner to give deed on presentation of treasurer's receipt. **Ark. 199, 23 My**
- 1424 Regulating sale of state lands by auditor; giving of notice. Amending '89 ch.162. **Ind. 70, 6 Mr**
- 1425 Commissioner of state land office to withdraw from sale, examine, fix minimum price and restore gradually to market certain state lands; to appoint examiners; \$1000 for services and expenses of examiners. **Mich. 95, 1 My**
- 1426 Commissioner of state land office and auditor general may withhold state tax lands from homestead entry and fix minimum price for sale; proceeds to state, county and township according to unpaid taxes due each. Amending C.L.'97 §3953. **Mich. 141, 17 My**
- 1427 Fixing interest on contracts rising from sale of state lands at 4%. **Minn. 91, 27 Mr**
- 1428 Board of university and school lands to sell 210,000 acres of public lands during 1901; disposal of proceeds. **N. D. 136, 11 Mr**
- 1429 Referring to next legislature constitutional amendment regarding sale of public lands. **N. D. p.273**
- 1430 Interest on deferred payments on lands to which state can not give title to be returned to buyer. Amending '99 p.156. **Or. p.111, 25 F**
- 1431 State lands to be appraised before sale. Amending '97 ch.365. **Wis. 458, 15 My**
- 1432 **Lease.** Lessee of public lands to be given 90 days notice in case of sale; may remove improvements. Amending R.C.'99 §217. **N. D. 135, 13 Mr**
- 1433 Lessee of public lands may within reasonable time after term remove improvements, including those received from preceding occupants. Amending R.C.'99 §225. **N. D. 137, 12 Mr**
- 1434 County commissioners may lease county lands for 10 years to highest bidder; notice of intention to lease to be published. **Wash. 87, 16 Mr**

- 1435 Commissioner of public lands may lease petroleum or gas lands for 10 years at \$25 a year for each quarter section.  
Wash. 106, 16 Mr
- 1436 Amending Ballinger's Codes '97 §2213, 2216, 2218 relating to leasing mineral lands; fixing royalty to be paid state.  
Wash. 151, 18 Mr
- 1437 In leasing state lands, board to prefer citizens and taxpayers of state.  
Wy. 71, 16 F
- 1438 Tide, shore and swamp lands. Tide and submerged lands not in city or city and county may be taken under eminent domain; proceedings for condemnation of state lands. Amending C.C.P. §1240.  
Cal. 144, 15 Mr
- 1439 Tide lands within 2 miles of incorporated city exempt from law requiring sale at \$1 an acre; reclamation districts may be formed for improvement of lands; procedure. Amending P.C. §3488.  
Cal. 154, 16 Mr
- 1440 Owner of tide land preferred in granting lease to build wharf.  
Wash. 138, 18 Mr
- 1441 Standing timber or stone not to be sold from state tide or harbor lands for less than appraised value; timber not removed within 3 years reverts to state; exceptions. Amending '99 ch.89.  
Wash. 148, 18 Mr
- 1442 Amending '97 ch.40 as to platting of state's granted tide lands.  
Wash. 161, 18 Mr
- 1443 Upland owners preferred in sale of adjoining shore lands.  
Wash. 175, 18 Mr

### Taxation—general<sup>1</sup>

(Relating chiefly to general property taxes. See also Road taxes, 3763)

- 1444 General and miscellaneous. Amending O.'96 §3907-9, 3911-13, 3915-16, 3943, 3974-75, 4003, 4030, 4122 as to revenue. 40p.  
Ala. p.210, 5 Mr
- 1445 Revising tax law. 115p.  
Col. 94, 5 Ap
- 1446 General tax act for 1901-2 prescribing persons, property, occupations and professions subject to taxation, fixing amount of tax and providing for collection. 16p.  
Ga. p.21, 21 D 00
- 1447 Revision of tax law; collection and disbursement of revenues. Repealing '99 p.254. 58p.  
Id. p.233, 22 Mr
- 1448 Establishing basis of apportionment of state and county taxes.  
Mass. 198, 26 Mr
- 1449 Ad valorem state tax of 80c on taxable property; distribution.  
Nev. 106, 18 Mr
- 1450 State treasurer to issue warrants for state tax; selectmen and assessors to assess and cause payment to treasurer before December of each year.  
N. H. 88, 22 Mr
- 1451 Providing for assessment of property and collection of taxes. 47p.  
N. C. 7, 15 Mr

<sup>1</sup>Under local finance are placed only those tax laws which in the strictest manner belong there, as limitations of rates, etc. State and local taxes are usually collected together by local authorities; hence a separation would be confusing.

- 1452 General revenue law providing for taxes on banks, building and loan associations, corporations, inheritances, incomes and various privileges and occupations. 37p. N. C. 9, 15 Mr
- 1453 Requiring of county assessors and boards of equalization tables of itemized assessments and deductions for debts, itemized property exempt from taxation and amount of tax apportioned to various districts and rate of taxation; tables to be printed by county collector and copies sent to state controller and board of taxation. N. J. 189, 22 Mr
- 1454 Governor, secretary of state and state treasurer to determine amount of state tax levy and apportion to counties in proportion to expenditures. Amending Hill's Ann.L. §2788-92. Or. p.175, 27 F
- 1455 General amendments to law for tax assessment and collection. Or. p.242, 27 F
- 1456 State revenue law; state tax 50c on \$100 valuation, 35c for state and 15c for schools; counties may levy not over 30c on \$100, exclusive of tax for roads, schools, county debt and special purposes and privilege taxes; schedule of state privilege taxes; \$1 a \$1000 on realty transfers. 30p. Tenn. 128, 20 Ap
- 1457 Revenue act; exempt property; assessments; classification of personalty; state board of equalization; county revenue commissioners; state revenue agents; regulations. 68p. Tenn. 174, 25 Ap
- 1458 State tax levy for years 1901-2, 5 mills for general state, 3 mills for district schools and not over 5 mills for county purposes. U. 134, 25 Mr
- 1459 Temporary tax commissioners. Board of tax commissioners, consisting of 2 senators and 3 representatives appointed by president of senate and speaker of house respectively, state treasurer, auditor and attorney general, to revise tax laws; meetings; duties; report; compensation \$10 a day. Kan. 361, 25 F
- 1460 Tax commission of 3 members to be appointed by governor, attorney general and state auditor; to recommend tax code to legislature of 1902; \$12,000. Minn. 18, 26 F
- 1461 Governor to appoint 3 state tax commissioners including attorney general to revise R.S.'99 ch.119 relating to revenue and assessment and collection; report; \$15,000. Mo. p.203, 17 Ap
- 1462 Authorizing tax commissioner to investigate system of taxing corporations in state and report to legislature of 1902. Vt. 335, 27 N 00
- 1463 Governor to appoint 3 commissioners to confer with Minnesota legislature on vessel taxation. Wis. 8, 15 F
- 1464 State departments, organization and duties. (Containing numerous provisions as to equalization and assessment of corporations.) Governor to appoint tax commissioner for 4 years; oath, powers and duties; reports; salary \$3000 and expenses. Ct. 62, 14 My
- 1465 State board of tax commissioners may meet in special session on call of secretary or chairman. Amending '95 ch.36. Ind. 89, 7 Mr

- 1466 State board of tax commissioners to call meeting of county assessors annually; mileage and \$3 a day for 3 days.  
**Ind.** 105, 7 Mr
- 1467 State auditor to be *secretary* [formerly president *ex officio*] of board of appraisers and assessors; board to meet annually 2d Monday in *April* [formerly 1st in May]; to assess property of telegraph and telephone companies; real estate [formerly and personal property in central offices] to be deducted. Amending G.S.'97 ch.158 §116-17, 119, 124.  
**Kan.** 362, 2 Mr
- 1468 State assessors to examine method of taxation in Maine and other states and report biennially.  
**Me.** 260, 22 Mr
- 1469 \$1700 [formerly \$1600] for additional clerical service in offices of tax and corporation commissioners. Amending '91 ch.342.  
**Mass.** 449, 29 Mr
- 1470 Board of state tax commissioners to be state board of assessors to assess and levy taxes on property of railroad, depot, express, car and fast freight line companies; powers and duties; reports of companies; regulations; cash value to be determined and tax assessed at average rate. 12p.  
**Mich.** 173, 27 My
- 1471 Board of state tax commissioners to be composed of 5 [formerly 3] members; salary of secretary \$2000 [formerly \$1500]. Amending '99 §154.  
**Mich.** 174, 27 My
- 1472 Salary of chief clerk of state tax commission not to exceed \$1500, other clerk \$1000; no office expenses allowed outside Lansing; salaries and expenses for expert work fixed by board of state auditors.  
**Mich.** p.394, 12 Mr
- 1473 Tax commission may compel attendance of witnesses.  
**Minn.** 103, 28 Mr
- 1474 \$300 each for annual expenses of members and secretary of state board of taxation. Supplementing '91 ch.114.  
**N. J.** 23, 6 Mr
- 1475 Board of corporation commissioners to be board of state tax commissioners; to exercise general supervision over taxlisters and assessors; may revise assessment; annual report.  
**N. C.** 7, 15 Mr
- 1476 Increasing powers of state tax commissioner over assessors and boards of review; may require reports from town, city and village officers and corporations, summon witnesses, investigate county methods of taxation. Amending '99 ch.206.  
**Wis.** 220, 26 Ap
- 1477 Tax commissioner and 1st and 2d assistant commissioners to act as state board of assessment; to meet at capitol annually and fix valuation of counties; powers; witnesses; fees. Repealing S.'98 §1069.  
**Wis.** 237, 27 Ap

**Exemptions from general property tax.** (*See also* under special classes of taxes; *also* Mortgages, 1394)

- 1478 **General and miscellaneous.** County commissioners may remit taxes on ship building plants for 5 years from date of organization; lands not exempt. Amending C.'96 §3908.

**Ala.** p.211, 5 Mr

- 1479 Cotton mills investing \$50,000 in new plant or in additions to old plant within 5 years from Feb. 13, 1897, to be exempt from taxation till Feb. 13, 1907; lands not exempt. Amending C.'96 §3908. Ala. p.212, 5 Mr
- 1480 Submitting constitutional amendment allowing electors to vote every 4 years on question of exempting personal property and improvements on land from local taxation. *Vote November 1902.* Col. 45, 21 Mr
- 1481 Land and improvements of county or district agricultural society to amount of 80 acres exempt from taxation. Ind. 14, 14 F
- 1482 Amending '99 ch.22 §8 as to exemption from taxation of homestead to value of \$200, and other real estate when homestead is less than \$200 in value. N. M. 95, 21 Mr
- 1483 Submitting constitutional amendment forbidding legislature to pass special laws exempting persons or associations from taxation. *Adopted November 1901.* N. Y. p.1803, 22 Ap
- 1484 Amending R.C.'99 §207 as to taxation of school and institutional lands after contract for sale; not to be taxed while title remains in state. N. D. 168, 13 Mr
- 1485 Burial lots exempt from taxation; vendor of gravestone to have lien. Amending Hill's Ann.L. §3326. Or. p.378, 28 F
- 1486 Leased manufacturing corporations exempt from taxation on capital stock. Amending '97 ch.227. Pa. 337, 11 J1
- 1487 Counties issuing bonds for levees or drainage to reclaim lands may retain out of revenue due state, state taxes on account of bonds and construction as fund for payment of bonds and interest. Tenn. 65, 22 Ap
- 1488 Referring to next legislature constitutional amendment providing that counties and cities may exempt new manufacturers from taxation for 10 years. Tenn. p.1228, 22 Ap
- 1489 Submitting constitutional amendment empowering legislature to exempt from taxation irrigating reservoirs and pipes, and remit taxes of indigent poor. *Adopted November 1900.* U. '99 (not printed in session laws)
- 1490 Submitting constitutional amendment repealing provisions restricting taxation of oyster industry. *Adopted November 1901.* Va. 588, 5 Mr 00
- 1491 Ships or vessels engaged exclusively in trade between state and U. S. territory or foreign countries to be exempt from taxation. Amending Ballinger's S. §1657. Wash. 2, 12 Je
- 1492 Property of young men's Christian associations, and personal property of head of family to amount of \$300 exempt from taxation. Amending '99 ch.141. Wash. 176, 13 Mr
- 1493 Charitable, educational and religious institutions and societies. Building used entirely for purposes called charitable under common law exempt from taxation. Supplementing G.S.'95 p.3282. N. J. 142, 22 Mr
- 1494 Property of charitable associations, used exclusively for charitable purposes, to be exempt from taxation. Amending R.C.'99 §1180. N. D. 152, 7 Mr

- 1495 Real property of religious organization not over 1 acre containing building for religious services or pastoral residence, exempt from taxation; personal property used for religious purposes exempt. N. D. 160, 20 F
- 1496 Property used for public, burial, charitable or religious purposes not to be exempt from taxation unless persons using have title to realty and possess personalty. Amending '74 ch.94. Pa. 204, 29 My
- 1497 Lands, buildings and funds of free nonsectarian public libraries with income not sufficient for support, exempt from taxation. Pa. 211, 29 My
- 1498 Lands with buildings used for asylums, schools, hospitals and meetings of charitable, benevolent or fraternal societies, exempt from taxation. Wy. 5, 1 F
- 1499 Firemen's organizations. Real and personal estate of incorporated volunteer fire engine companies in active service exempt from taxation. Amending G.L.'96 ch.44 §2. B. I. 844, 28 Mr
- 1500 Veterans' organizations. Exempting from taxation lands and buildings owned and used exclusively by post of G. A. R. or Women's relief corps. Amending C.L.'97 §3830. Mich. 44, 8 Ap
- 1501 Personal property. (*See also* Mortgages, 1394) Referring to next legislature constitutional amendment as to exemption from taxation of stock of domestic corporations held by non-residents. Del. 1, 9 Mr

**Assessment**

- 1502 Computation of tax rates; extension of state and other taxes. Amending R.S.'99 ch.120 §117, 128. Ill. p.271, 10 My
- 1503 Equalized valuation basis of determining tax rate; county clerk to ascertain rate; aggregate not to exceed 5%; exceptions. Ill. p.273, 9 My
- 1504 Amending '96 ch.908 §38 as to filing of tax roll in cities and towns. N. Y. 358, 17 Ap
- 1505 Repealing S.'94 §415 relating to deduction for debts owed to non-residents of state. Vt. 13, 27 N 00
- 1506 Local assessors. Assessment districts. County commissioners may contract for construction of county assessment maps; previous contracts ratified. Ala. p.153, 28 F
- 1507 Amending P.C. as to making of assessment roll and collection of taxes. Cal. 46, 27 F; 215, 23 Mr
- 1508 County assessor to make tax roll on or before Sep. 1 annually; form; collector to issue triplicate receipt; form; entry of payment, whether complete or partial; collector's reports to probate clerk and territorial treasurer. Amending C.L.'97 §4051, 4067-68. N. M. 37, 16 Mr
- 1509 County auditor to deliver books and blanks to assessors annually on 2d Saturday in April [formerly last Saturday in March]. Amending R.C.'99 §1208. N. D. 27, 7 Mr

- 1510 Assessors' returns to be made to county auditor *not later than July 10* [formerly no time designated], except in cities having charters; form. Amending R.C.'99 §1219. N. D. 28, 27 F
- 1511 Borough assessors of ward to act as board of assessors in valuing property for assessment. Amending '89 ch.8, Pa. 309, 9 JI
- 1512 Amending '99 ch.40 §1 relating to time of meeting of assessors. S. D. 53, 5 Mr
- 1513 Village and town assessors to be paid by county if assessing for county and state; not to apply to counties having no unorganized townships. S. D. 59, 14 F
- 1514 City assessor to be *elected* [formerly appointed by mayor]. Amending '90 ch.37 art.6 §1, 3. S. D. 73, 28 F
- 1515 Compensation of county assessor to be not less than \$300 [formerly \$200] nor more than \$500 [formerly \$350] yearly. Amending C.'99 ch.29 §89. W. Va. 103, 16 F
- 1516 Proceedings for removal of assessors, members of boards of review and supervisors for violations of official duties. Wis. 330, 8 My
- 1517 Punishment for assessors and taxpayers for giving or taking bribes, favors, or rewards in assessment and valuation of property. Wis. 379, 13 My
- 1518 Action to declare act of assessor in correcting errors in assessment roll void to be brought within 10 days. Amending S.'98 §1058. Wis. 389, 13 My
- 1519 By three-fourths vote common council in cities under 10,000 may fix number of assessors. Wis. 396, 13 My
- 1520 Creating office of county supervisor of assessment; county board to appoint; duty to direct and examine work of local assessors; may begin proceedings for removal of assessor; county supervisor to act under direction of state tax commission; law not to apply to cities of 150,000. Wis. 445, 15 My
- 1521 **Assessment of real estate.** Real estate except railroad and canal property to be assessed in taxing district where situated. N. J. 86, 21 Mr
- 1522 Assessor to give to tract described by metes and bounds in plat and description book, number by which it shall be entered in tax roll. Amending '99 ch.141. Wash. 79, 16 Mr
- 1523 Forest trees artificially grown subject to taxation. Amending '99 ch.141. Wash. 176, 13 Mr
- 1524 Land and improvements to be assessed separately. Amending S.'98 §1052. Wis. 92, 26 Mr
- 1525 **Mines.** Submitting constitutional amendment assessing patented mining claims [formerly exempt] at \$10 an acre. *Vote November 1902.* Nev. c.r. 5, 6 Mr
- 1526 Conveyances of mining and quarry rights which are real estate to be recorded with town clerk and listed for taxation at 1% of value; personalty rights to be recorded in secretary of state's office. Vt. 12, 27 N 00
- 1527 **Return by taxpayer.** Tax lists. Amending G.S.'88 §3815 as to time of lodging assessor's lists and abstracts in town clerk's office. Ct. 24, 11 Ap

- 1528 Assessors may compel appearance of person neglecting to give in tax list; maximum penalty for refusing, \$1000. Ct. 169, 17 Je
- 1529 On affidavit of assessor that property is unlawfully withheld from returned tax list, judge of circuit court may issue writ requiring books or papers to be inspected. Amending '91 ch.99 §34. Ind. 71, 5 Mr
- 1530 County assessor to prepare annually printed list of taxpayers and assessed valuations; copy to be mailed to taxpayers. Nev. 79, 19 Mr
- 1531 Owners of real estate situate partly in and partly out of incorporated city or town to list parts separately for taxation. S. C. 351, 8 F
- 1532 Permitting county auditor to extend rate on tax lists as one amount under head "Total consolidated tax"; regulations. Amending '99 ch.41 §1. S. D. 50, 12 Mr
- 1533 Amending '99 ch.40 §7 prescribing form of oath to be subscribed by parties assessed for taxes. S. D. 57, 12 Mr
- 1534 Amending R.S.'99 §1781 as to form of tax list; all state taxes may be entered in 1 column. Wy. 10, 9 F
- 1535 Personal property. Personal property brought into county from Mar. 1 to Sep. 1 to be listed for taxation unless copy of assessment in some other county, state or territory listing property annually by Mar. 1 is produced. Amending '99 ch.248 §3. Kan. 364, 27 F
- 1536 Lists of personal property filed by assessors with county auditor to be destroyed after 6 years. Minn. 149, 6 Ap
- 1537 Live stock brought into state for grazing to be taxed; regulations. Mon. p.57, 14 Mr
- 1538 Transient live stock, unless in transit to other state, to be assessed and taxed as personal property at state and county rate; misdemeanor for peace officer not to prosecute on information of violation. Nev. 105, 21 Mr
- 1539 Referring to next legislature constitutional amendment empowering assembly to provide for taxation of grain in storage. N. D. p.277
- 1540 Live stock fed for market or winter fed on product of another county, taxable only in county where owner or agent resides. Okl. 27 art.2, 8 Mr
- 1541 Live stock to be listed and assessed in district where ordinarily ranged, merchandise in district in which located. Amending '97 ch.28 §8. S. D. 55, 12 Mr
- 1542 Defining transient stock; providing for assessment, collection and distribution of taxes; stock driven into another county after assessment not to pay additional tax; penalty for attempt to remove stock to evade tax. Repealing R.S.'98 §2537-42; '99 ch.44. U. 105, 19 Mr
- 1543 Providing for assessment of buildings on leased lands when personalty. Amending S.'98 §1040. Wis. 191, 19 Ap
- 1544 Mortgages, stocks and bonds. Submitting constitutional amendment; mortgages and contracts by which debts are



secured deemed interest in real estate and taxed to holder, and value of property less value of security to owner; contract of debtor to pay tax void. *Mo.* '99 p.383. *Adopted November 1900. Unconstitutional.* Denies equal protection of laws by exempting certain corporations. *Russell v. Croy*, 63 S.W. 849.

- 1545 Assessment and taxation of mortgaged property; values apportioned between mortgagor and mortgagee; each taxed; certain mortgages exempt; county recorder of deeds to furnish county assessor with list of mortgages just after June 1.

*Mo.* p.216, 28 Mr

- 1546 Submitting constitutional amendment to repeal art.10 §22-23 concerning taxation of mortgages. *Vote November 1902.*

*Mo.* p.261, 5 Mr

- 1547 In assessing real estate mortgage, owner's indebtedness to bank or trust company not to be deducted [formerly provided indebtedness has been incurred within 3 months]. Amending '98 ch.215.

*N. J.* 93, 21 Mr

**Equalization. Review. Adjustment.** (For equalization by state boards see state departments above)

- 1548 *State.* Treasurer, controller and tax commissioner to be board of equalization. Amending G.S.'88 §3865. *Ct.* 92, 29 My

- 1549 Territorial board of equalization to pass on appeals of taxpayers in incorporated cities; appeals to be filed by city clerk with board annually before 1st Monday in August. *N. M.* 16, 8 Mr

- 1550 State board of equalization to pass on taxable property returns of textile industries, canals furnishing power for hire, cotton seed oil and fertilizer companies; duties of county auditor and controller general. *S. C.* 350, 19 F

- 1551 Fixing membership and duties of state board of equalization.

*S. D.* 44, 12 Mr

- 1552 Governor and senate to appoint state board of equalization of 4 members for 4 years at \$800 salary. Amending R.S.'98 §2583.

*U.* 65, 14 Mr

- 1553 State board of equalization may provide separate books for listing real estate and personal property. Amending R.S.'98 §2546. *U.* 118, 23 Mr

- 1554 *Local.* Board of review of assessments in counties under 125,000. Amending '98 p.46. *Ill.* p.267, 11 My

- 1555 Township board of review to be composed of supervisor and 2 *taxpaying* electors, *owners of land in township.* Amending C.L.'97 §3851. *Mich.* 129, 16 My

- 1556 County board of equalization may raise valuation of firms and corporations; notice to be given to parties interested. Amending G.S.'94 §1552. *Minn.* 298, 13 Ap

- 1557 County assessors to meet yearly to establish uniform valuation of property; governor to be chairman; 8 to be quorum; ad valorem state tax 80c on \$100; regulations. *Nev.* 50, 16 Mr

- 1558 Tax assessment cases may be appealed from common pleas to superior or supreme courts. *Pa.* 296, 28 Je

- 1559 Township commissioners and assessors not to reduce aggregate value of assessed property below value as returned to county auditor. Amending '97 ch.293 §4. S. C. 354 19 F
- 1560 County board of equalization to meet annually on 1st *Tuesday* [formerly Monday] in July; may continue in session and adjourn from time to time not over 15 [formerly 5] days. Amending '97 ch.28 §41. S. D. 52, 28 F
- 1561 Specifying contents of county auditor's abstract of corrections in assessment list made by board of equalization. Amending '97 ch.28 §42. S. D. 54, 27 F
- 1562 When decision of commissioners to review equalization made by county board between county and town or city is in favor of municipality petitioning, expense to be borne by rest of county; assessment. Wis. 10, 21 F

## Collection

- 1563 Service of process in tax collections not invalid because served by predecessors of collector in office. Amending '99 ch.425 §1. Mass. 150, 14 Mr
- 1564 Person may pay taxes on parcel or description of land or undivided share. Amending C.L.'97 §3876. Mich. 130, 16 My
- 1565 Township treasurer or other collecting officer to pay to county treasurer state and county taxes collected and report unpaid taxes within week after time specified in warrant. Amending C.L.'97 §3877. Mich. 193, 31 My
- 1566 Commission of county collector of levee and ditch taxes to be 1% of amount collected. Amending R.S.'99 §9260. Mo. p.220, 1 Mr
- 1567 County treasurers to be ex-officio county collectors of taxes; no demand necessary. Amending C.S.'97 §4370, 4372. Repealing C.S.'97 §4374-84. Neb. 52, 1 Ap
- 1568 Authorizing correction of errors in assessment of personal property in cities and refunding of tax erroneously paid. N. J. 33, 13 Mr
- 1569 Taxes assessed by incorporated cities and towns to be lien against assessed property. Amending '99 ch.22 §19. N. M. 85, 21 Mr
- 1570 Collector's warrant annexed to tax roll may be under seal of county or board of supervisors. Amending '96 ch.908 §56. N. Y. 158, 22 Mr
- 1571 Tax roll to contain 2 additional columns, 1 each for amount of tax and date of payment; collector to insert date of payment and signature. Amending '96 ch.908 §21, 71. N. Y. 159, 22 Mr
- 1572 Town collector elected at town meeting in November 1903 and biennially thereafter to take office at once. Amending '90 ch.569 §13. N. Y. 191, 25 Mr
- 1573 Amending C.'83 §3692 as to collection of taxes from taxpayers moving from one county to another; 60c [formerly 3¢] to collecting officer. N. C. 94, 5 F
- 1574 County treasurer not to retain 1% of city taxes as fee to be turned over to county. Amending R.C.'99 §2496. N. D. 149, 7 Mr

- 1575 State and counties to have precedence over liens in collection of personal property taxes. N. D. 150, 8 Mr
- 1576 Providing for collection of taxes on real property when proceedings have been defective. N. D. 161, 4 Mr
- 1577 Township treasurer to retain as salary 2% of moneys paid out of [formerly into] treasury. Amending R.C.'99 §2611. N. D. 202, 12 Mr
- 1578 Extending 1 year time for collection of taxes for which collectors have become personally liable by expiration of warrants. Pa. 26, 27 Mr
- 1579 Regulating collection of city, school and poor taxes in cities under 100,000; city treasurer to be tax collector. Pa. 285, 20 Je
- 1580 Application for remission of taxes may be made to town councils. Amending G.L.'96 ch.47 §4. R. I. 824, 6 Mr
- 1581 County board of equalization may remit taxes of indigent persons to \$10. Amending R.S.'98 §2575. U. 90, 14 Mr
- 1582 Taxes on lands [formerly not owned by residents] to be lien on logs, wood and timber cut thereon after May 1 of year taxes are levied. Amending S.'98 §1088. Wis. 190, 19 Ap
- 1583 City treasurer to receive 1% on tax collections till Jan. 31 [formerly 10]. Amending S.'98 §925-152. Wis. 194, 19 Ap
- 1584 Treasurer's notice to state that taxes must be paid by Jan. 31 [formerly 10]. Amending S.'98 §925-147. Wis. 195, 19 Ap
- 1585 Amending S.'98 §925-143 as to form of tax warrants and time of payment to county treasurer by tax collectors. Wis. 196, 19 Ap
- 1586 Correcting error in S.'98 §1081 relating to tax collections. Wis. 374, 13 My
- Delinquent taxes. Tax sales. Redemption**
- 1587 Regulating conveyance by tax collector to state of unredeemed delinquent tax property. Amending P.C. §3785. Cal. 48, 27 F
- 1588 When land is erroneously sold for taxes county to repay buyer principal and 25% interest. Col. M.Hls S. §3776. *Unconstitutional*. Subject not included in title. Board of com'rs of Rio Grande Co. v. Whelen, 65 p.38.
- 1589 Providing for issue, custody, redemption, sale and transfer of tax sale certificates and issue of tax deeds; duties of clerk of circuit court and controller; forms. Fla. 4, 30 My
- 1590 Tribunal making list of insolvent taxpayers to send copy to controller general. Amending C.'95 v.1 §862. Ga. p.43, 18 D 00
- 1591 Collection of delinquent taxes in counties over 100,000; treasurer to make personal demand on delinquents; fees; special return. Ind. 138, 9 Mr
- 1592 Providing for collection of delinquent taxes, and for suits to quiet title conveyed by tax deed. Amending R.S.'94 §8632, 8640-41. Ind. 172, 11 Mr
- 1593 State auditor and treasurer may compromise uncollected state taxes with county commissioners and clerk; latter to certify to amount uncollected; penalty for violation. Kan. 122, 5 Mr

- 1594 Tax lands held by county for 3 years may be leased by county commissioners till taxes are paid by rent; duties of county treasurer, clerk and attorney. **Kan. 391, 5 Mr**
- 1595 Tax lands held by county remaining unredeemed  $3\frac{1}{4}$  years to be sold at auction; procedure; redemption before sale; fees. **Kan. 392, 27 F**
- 1596 Collector selling tax lands need not post notice of sale on premises. Amending '88 ch.390 §37. **Mass. 108, 5 Mr**
- 1597 Tax collectors' deeds to be recorded within 30 days after sale; after 5 years such deeds prima facie evidence of facts therein. Amending '88 ch.390. **Mass. 197, 26 Mr**
- 1598 Fixing form of tax collector's deed. **Mass. 519, 18 Je**
- 1599 On application of township treasurer circuit judge or court commissioner may issue injunction to prevent cutting or removal of timber or tearing down or removal of buildings on lands on which taxes are unpaid. Amending C.L.'97 §3979. **Mich. 34, 29 Mr**
- 1600 County treasurer on or before Ap. 15 to serve on supervisor of township list of state tax lands deeded and taxable; lands to be assessed; when homesteader surrenders certificate in favor of another, lands become assessable 5 years from original entry. Amending C.L.'97 §3955. **Mich. 39, 4 Ap**
- 1601 Unlawful to cut timber or remove timber or buildings from tax lands after Jan. 10 following assessment; sheriff on warrant of county treasurer to seize and sell unlawfully removed timber and buildings; circuit judge to issue injunction on request of county treasurer. Adding to C.L.'97 §3824-962. **Mich. 46, 8 Ap**
- 1602 Township boards and city common councils may compromise settlement of taxes on state lands sold before Feb. 14, 1853 [formerly 1885]; settlement effective when certificate holder pays balance due state and takes patent. Amending C.L.'97 §3978. **Mich. 121, 16 My**
- 1603 Owner of land sold for taxes debarred from questioning validity of tax title unless he tenders payment to buyer or begins suit in 6 months to set aside tax deed. Amending C.L.'97 §3962. **Mich. 128, 16 My**
- 1604 In redemption of land bid in for state, tax arrears to be paid. Amending '81 ch.10 §18. **Minn. 108, 2 Ap**
- 1605 Certificates of sale of land sold for taxes pursuant to '99 ch.322 not issued at time of sale, may be issued within 4 months of passage of act. **Minn. 283, 13 Ap**
- 1606 In counties where taxes due amount to  $3\frac{1}{4}$  of assessed valuation payment of taxes delinquent in 1897 and former years enforced. **Minn. 290, 23 Ap 97. Unconstitutional.** Special legislation as to counties and not uniform throughout state. Duluth banking co. v. Koon, 84 N. W. 335.
- 1607 Amending '85 ch.2 §15 as to penalty for unpaid taxes. **Minn. 315, 13 Ap**
- 1608 Providing for sale of state tax lands. Amending '99 ch.322. **Minn. 319, 13 Ap**

- 1609 Payment of delinquent taxes for 1895 and earlier by sale of state tax lands enforced. Minn. 339, 13 Ap
- 1610 Amending P.C. §3873 as to more explicit publication of delinquent taxes. Mon. p.142, 28 F
- 1611 County tax unpaid by town to bear 10% interest from Dec. 1. N. H. 64, 14 Mr
- 1612 Taxes levied by trustees of municipalities to be first lien till paid; lands in arrears 60 days may be sold; regulations. N. J. 63, 22 F 88; 335, 25 Mr 95. *Unconstitutional*. Special legislation. *Burnett v. Dean*, 49 A. 503.
- 1613 Amending '99 ch.22 §26-27 as to delinquent taxes and sale of tax lands. N. M. 7, 20 F
- 1614 Delinquent taxes to be equally divided between general expense and school funds. N. M. 24, 15 Mr
- 1615 One half unpaid taxes to become delinquent Dec. [formerly Jan.] 1; remaining half, June [formerly July] 1. Amending '99 ch.22 §10. N. M. 96, 21 Mr
- 1616 Taxes or penalties due from payee to be deducted by county treasurer from amount of warrants; penalty. N. M. 101, 21 Mr
- 1617 Tax collector not making return of unpaid taxes to county treasurer may make return within 8 years; county treasurer may spend sum he deems necessary in examining collectors returns and otherwise to make valid tax sale. Amending '96 ch.908 §82. N. Y. 517, 24 Ap
- 1618 Sheriffs and tax collectors to collect taxes delinquent since 1895. N. C. 116, 5 F
- 1619 Regulating tax sales; sheriff to sell personal property; insolvents; real estate sales and notices; tax certificate; redemption; corporation taxes; rights of life tenants. 17p. N. C. 558, 15 Mr
- 1620 Owners of land sold for taxes and bought by state may redeem by paying sum in certificate of sale, 20% interest and accrued taxes; effective till Jan. 1, 1902. N. C. 688, 14 Mr
- 1621 Tax lands to be sold to bidder accepting lowest rate of interest on taxes; penalties and costs paid by him; not to exceed 24%. Amending R.C.'99 §1261. N. D. 154, 15 Mr
- 1622 County commissioners to deduct from claims against state delinquent taxes due from claimants. N. D. 162, 11 Mr
- 1623 County commissioners may institute action in name of county to collect delinquent personal taxes. N. D. 163, 12 Mr
- 1624 County commissioners may contract with sheriff for collection of personal property tax judgments or personal property taxes delinquent more than 1 year. N. D. 164, 1 Mr
- 1625 Rights of buyer of land at tax sale deemed forfeited unless possession taken, proceedings instituted or deed executed within 6 years from date of certificate. Amending R.C.'99 §1269. N. D. 165, 6 Mr
- 1626 Auditor's notice to owners of land on which tax certificates are held, *to be delivered to sheriff or deputy* to be served personally on owner. Amending R.C.'99 §1289. N. D. 166, 11 Mr

- 1627 Tax lands unredeemed for 2 years to be deeded to buyer by county treasurer; deed to vest absolute fee simple estate. *Okl. S.'93 §5666. Unconstitutional. Takes property without due process of law. Wilson v. Wood, 61 P. 1045.*
- 1628 Unpaid taxes of wholly or partly detached unorganized county, district or reservation belong to county making levy. *Okl. 27 art.4, 6 Mr*
- 1629 County judge or chairman of board of county commissioners may bid in lands sold for taxes in county; after expiration of redemption sheriff to sell lands at auction on 1st Monday in July annually. Amending '93 p.28. *Or. p.71, 23 F*
- 1630 Collector to add 5% to tax on seated land returned for nonpayment of taxes. *Pa. 53, 19 Ap*
- 1631 5% penalty to be added to township taxes not paid within 6 months from date of publication. *Pa. 223, 4 Je*
- 1632 Law relating to liens for taxes, municipal improvements and nuisances revised. *Pa. 228, 4 Je*
- 1633 Owner or mortgagee may within 6 months of sale redeem tax lands by paying taxes, penalties, costs and 8% interest. Amending R.S.'93 §349. *S. C. 349, 20 F*
- 1634 Property in which county has acquired interest by tax sale not to be sold for taxes as long as county holds claim; subsequent taxes to be paid before county may assign interest except in case of compromise. Amending '97 ch.28 §124. *S. D. 46, 25 F*
- 1635 Delinquent property taxes to be deducted from bills against county. *S. D. 47, 6 F*
- 1636 County treasurer to make list of delinquent personal property taxes July 1 annually; sheriff to collect at cost of delinquent. *S. D. 48*
- 1637 Providing for collection of delinquent taxes on real estate. 12p. *S. D. 51, 9 Mr*
- 1638 Amending '97 ch.28 §133 relating to conditions when action may be taken to recover land. *S. D. 56, 7 Mr*
- 1639 Property on which county has tax deed need not be published in delinquent list. Amending R.S.'98 §2620. *U. 78, 14 Mr*
- 1640 On recovery of judgment for taxes unlawfully collected, state and school districts liable for return of their proportion. *U. 113, 22 Mr*
- 1641 Interest on redemptions from tax sales 1% [formerly 1½] a month; when 2 or more parties are interested in land sold for taxes either party may redeem part in which interested by proportionate payment. Amending R.S.'98 §2627. *U. 116, 23 Mr*
- 1642 Collector may commence trustee suit [formerly against person with insufficient personal property in state] for unpaid tax. Amending S.'94 §506. *Vt. 14, 26 N 00*
- 1643 Liens for unpaid taxes to be enforceable by suit in equity. Amending '96 ch.220. *Va. 140, 14 F*
- 1644 Amending '99 ch.141 as to collection of delinquent taxes. *Wash. 178, 20 Mr*

- 1645 Extending time in which distraint and sale may be made for taxes. **W. Va. 3, 20 F**
- 1646 Amending C.'99 ch.31 §4 relating to sale of tax lands; official lists to be drawn up *every year* [formerly every 2d year]. **W. Va. 105, 22 F**
- 1647 County clerk to furnish owner of land certificate of cancelation of void tax deed. Adding §1184 to S.'98. **Wis. 44, 11 Mr**
- 1648 Unpaid rentals for water or light to be entered in tax roll against real estate and become lien thereon. Amending S.'98 §927. **Wis. 174, 13 Ap**
- 1649 Buyer of land at tax sale may within 2 years after expiration of redemption give notice to owner or occupier of date when he will apply for tax deed. Amending R.S.'99 §1895. **Wy. 16, 9 F**
- 1650 When county has secured title to tax lands, county commissioners [formerly with treasurer] may sell at private sale or auction and reject any or all bids. Amending R.S.'99 §1902. **Wy. 36, 14 F**
- 1651 County treasurers to advertise tax sale before or during 1st week in June annually. **Wy. 61, 16 F**
- Special forms of taxation.** (*See also* Road taxes, 3763; Liquor licenses, 67; Pedlars, 4967)
- 1652 Poll taxes. Members of fire department who have served 5 [formerly 6] consecutive years and who produce certificate exempt from poll tax. Amending G.S.'88 §3819. **Ct. 25, 11 Ap**
- 1653 Payment of poll and military tax enforced by imprisonment in county jail; may be worked out in jail at \$1 a day. **Ct. 52, 8 My**
- 1654 \$2 poll tax for males from 21 to 50 for current expense fund; exemptions; lien on real property; collector to return poll tax book to county commissioners; forfeiture for omissions; delinquencies. **Id. p.298, 21 Mr**
- 1655 Women exempt from poll tax. Amending P.S.'82 ch.11 §1. **Mass. 424, 23 My**
- 1656 State controller to print poll tax receipts before Jan. 15 [formerly 1st Monday in March]; 50% of poll tax apportioned to county funds designated by commissioners [formerly for county purposes]. Amending '91 ch.99 §100, 109. **Nev. 36, 6 Mr**
- 1657 Refunding to aliens from county treasury tax of 3c a day; balance unclaimed after 1 year to be distributed to school districts. **Pa. 172, 21 My**
- 1658 Inheritance taxes. 5% collateral inheritance tax on all amounts of real and personal property. **Ark. 156, 23 My**
- 1659 Nieces and nephews living in state exempt from collateral inheritance tax. **Cal. 83, 9 Mr 97. Unconstitutional.** Denies equal privileges and immunities. In re Mahony's estate, 65 P. 389.

- 1660 2% tax on inheritances over \$5000 if passing to lineal descendants; 3% to 6% on collateral inheritances, if estate exceeds \$500; county judge to appoint appraisers; county treasurer to collect tax; regulations. Col. 94, 5 Ap
- 1661 Bequests of certain articles for free exhibition exempt from succession tax. Ct. 123, 10 Je
- 1662 Legacies to religious, educational and charitable corporations exempt from inheritance tax. Amending '95 p.301. Ill. p.268, 10 My
- 1663 Inheritance tax appraiser's fees not to exceed \$10 [formerly \$3] a day; county clerk's fees \$5 in counties under 100,000, \$10 in others; inheritance tax clerk appointed; tax hearing. Amending '95 p.301. Ill. p.269, 10 My
- 1664 Amending '95 ch.96 §1 relating to collateral inheritance tax; all property passing to collateral heirs liable to 4% [formerly 2½%] tax on value over \$500. Me. 225, 20 Mr
- 1665 5% inheritance tax on all property [formerly over \$10,000]. Amending '91 ch.425. Mass. 297, 16 Ap
- 1666 Reimbursing inheritance taxpayers for unconstitutional payments. Minn. 67, 22 Mr
- 1667 Property over \$5000 passing by will, intestacy or gifts in contemplation of death to pay transfer tax of 5%; 1% if passing to lineal descendants; appraisal and collection. Minn. 255, 11 Ap
- 1668 1% inheritance tax on property over \$10,000 to lineal heirs; 2% to 6% on property over \$500 to collateral heirs; person to whom interest in property is devised during life of decedent to give bond for 3 times amount of tax due on death of decedent; 7% interest on tax not paid in 6 months; duties and powers of executors; county judge on application to appoint appraiser; county courts to have jurisdiction. Neb. 54, 1 Ap
- 1669 Various amendments to transfer tax law; controller to appoint appraisers in leading counties; county treasurers with consent of controller may compound certain transfer taxes; report of controller. Amending '96 ch.908. N. Y. 173, 22 Mr
- 1670 Gifts and bequests to charitable, educational, religious, patriotic and cemetery associations exempt from transfer tax. Amending '96 ch.908. N. Y. 454, 22 Ap
- 1671 In actions affecting real estate on which state has lien on account of transfer tax; state may be made defendant; summons served on attorney general. Amending C.C.P. §447. N. Y. 609, 27 Ap
- 1672 Tax on inheritances of \$2000 to \$5000 passing to descendant, ancestor, brother or sister, ¾%; to descendant of brother or sister, 1½%; to uncle or aunt, 3%; to great-uncle or great-aunt, 4%; to others, 5%; inheritances \$5000 to \$10,000, rates multiplied by 1½; \$10,000 to \$25,000, by 2; \$25,000 to \$50,000, by 2½; \$50,000 and over, by 3; legacies to husband or wife or for religious, charitable or educational purposes exempt; clerk of superior court to appoint appraiser; taxes lien on property; collection. N. C. 9, 15 Mr



- 1673 Application for refunding erroneously paid inheritance tax to be made within 2 years unless estate consisted of partnership, or was involved in litigation, when 1 year from termination of litigation or 6 months from passage of act is sufficient.  
Pa. 25, 25 Mr
- 1674 Auditor general to issue refunding checks on state treasurer in favor of executors and administrators paying inheritance tax.  
Pa. 139, 11 My
- 1675 5% tax on property over \$10,000 passing by will or inheritance; inventory, appraisement and collection.  
U. 62, 14 Mr
- 1676 1% tax on property over \$10,000 passing by will or inheritance to direct or adopted heirs; 3% to 12% on property passing to collateral heirs or strangers; appraisement and collection.  
Wash. 55, 6 Mr
- 1677 Amending '99 ch.355 as to inheritance tax; persons or corporations entitled to property by transfer to be taxed; power of appointment deemed transfer; payment of tax by executors; deductions for debts; appraisers; definitions.  
Wis. 245, 27 Ap
- 1678 Corporation taxes—general. (Including taxation by general property tax) Revising law as to taxation of bank, trust, insurance, investment and bridge corporations; list of stockholders and shares to be filed with controller in October; 1% tax to be paid state treasurer by last day of following February; state treasurer to remit tax to town treasurer, and he to distribute it among taxing districts according to shares owned therein; certain stock exempt.  
Ct. 106, 3 Je
- 1679 Amending '01 ch.106 by requiring bank, trust, insurance, investment and bridge corporations to file list of stockholders and shares with *tax commissioner* [formerly controller]; duties of board of equalization; room at capitol for commissioner.  
Ct. 165, 17 Je
- 1680 Corporations to pay annual license tax for franchise; annual report to secretary of state; regulations; penalties; exemptions. Amending '99 ch.166 as to annual reports of corporations and exemptions of mercantile corporations from tax.  
Del. 15-16, 7 Mr
- 1681 Amending '75 ch.11 as to amount of tax paid by manufacturing concerns on real and personal property.  
Del. 17, 12 Mr
- 1682 Pipe line companies to schedule property for taxation. Amending '93 ch.171.  
Ind. 56, 4 Mr
- 1683 Rate of franchise tax on corporations; assessment by state board of assessors; annual returns to secretary of state; regulations.  
Me. 229, 21 Mr
- 1684 Corporations delinquent for taxes failing to pay before commencement of proceedings for recovery to pay 12% on amount unpaid. Amending '00 ch.398.  
Mass. 222, 2 Ap
- 1685 Tax commissioner to assess annual tax of  $\frac{1}{20}\%$  on average trust deposits of corporations with state treasurer.  
Mass. 281, 11 Ap
- 1686 Associations for ownership of grounds for summer homes, camp-meetings or assemblies may on request be assessed on build-

- ings owned by lessees; to elect assessors to levy tax; highway taxes to be spent on highways and streets of association. Adding §7639-53 to C.L.'97. Mich. 57, 11 Ap
- 1687 Corporations taxable on capital stock to report to state board of assessors Jan. 1; companies exempt by law from state tax to make return showing they are entitled to exemption. Supplementing G.S.'95 p.3335. N. J. 9, 19 F
- 1688 Construing '00 ch.130 providing for report of corporations delinquent for taxes to governor who shall declare charters repealed. N. J. 97, 21 Mr
- 1689 2½ tax on gross premiums of surety companies. Amending '99 p.193. Or. p.103, 25 F
- 1690 Property in state of corporation in or out of state taxable in county, city or municipal corporation where situated. Amending Hill's Ann. L. §2742. Or. p.142, 25 F
- 1691 Sheriff on delivery of execution against corporation to notify auditor general of date of execution, nature of property and date of sale so auditor general may collect taxes due state. Pa. 213, 29 My
- 1692 Amending revenue law by increasing license taxes on corporations and joint stock companies. 21p. W. Va. 35, 22 F
- 1693 Incorporation and license fees and taxes. Fees for creation and increase of capital stock of private corporation to be paid before copy of bill is sent by engrossing clerk [formerly clerk of bills] to secretary. Amending '99 ch.230. Ct. 5, 6 Mr
- 1694 Corporations to pay fees on renewal of corporate existence. Amending G.S.'94 §3391. Minn. 206, 10 Ap
- 1695 Reducing organization tax on corporations from ¼% to 1/30% of authorized capital stock. Amending '96 ch.908 §180. N. Y. 448, 22 Ap
- 1696 Amending '96 ch.908 as to time of payment of license tax on foreign corporations. N. Y. 558, 26 Ap
- 1697 Limited liability partnership associations to pay to state treasurer ¼% bonus on capital stock. Pa. 120, 8 My
- 1698 Foreign corporations, limited partnerships and joint stock associations except insurance corporations to pay ¼% bonus on capital in state; annual report to auditor general. Pa. 121, 8 My
- 1699 Forfeiting charters of corporations in arrears for bonus on capital stock. Pa. 176, 21 My
- 1700 Fees to be collected by secretary of state for corporation charters; to be paid into state treasury. S. C. 399, 20 F
- 1701 Amending S.'98 §1772 as to fees of corporations for filing articles of incorporation or amendments with secretary of state. Wis. 238, 27 Ap
- 1702 Foreign corporations license \$1 on \$1000 capital over \$25,000. Amending S.'98 §1770b-e. Wis. 399, 14 My
- 1703 Banking institutions. Building and loan associations to pay license tax of \$2 [formerly \$1] on each \$1000 of paid in capital stock. Amending C.'96 §3907. Ala. p.218, 5 Mr

- 1704 Stock of building, loan and homestead association pledged to association as security for par value not assessable. Amending R.S.'99 ch. 120 §29a. Ill. p.265, 18 Ap
- 1705 Rules for listing property of banks other than national *or state*. Amending R.S.'99 ch.120 §30. Ill. p.266, 10 My
- 1706 Foreign banking corporations to pay  $3\frac{1}{4}\%$  [formerly  $\frac{1}{4}\%$ ] tax on business done in state. Amending '99 ch.123 §1. Me. 165, 6 Mr
- 1707  $\frac{1}{2}\%$  state tax on interest bearing deposits of banks and trust companies less U. S. bonds, shares of exempt corporations and real estate. Me. 286, 22 Mr
- 1708 Savings banks and trust companies not exempt from taxation on general deposits on account of railroad securities. Amending '95 ch.108. N. H. 82, 21 Mr
- 1709 Building and loan associations to file with clerk of probate before Mar. 1 annually, statement showing amount paid in by and amount loaned to shareholders up to Jan. 1 preceding; assessment to be based on amount paid in less amount loaned to shareholders. N. M. 67, 20 Mr
- 1710  $1\frac{1}{2}\%$  tax on par value of surplus and undivided earnings of savings banks; banks to report to controller by Aug. 1. Amending '96 ch.908. N. Y. 117, 16 Mr
- 1711  $1\frac{1}{2}\%$  tax on capital stock, surplus and undivided profits of trust companies; report to controller by Aug. 1; tax due Sep. 1. Amending '96 ch.908. N. Y. 132, 21 Mr
- 1712  $1\frac{1}{2}\%$  tax on bank shares; amount of share determined by adding capital, undivided profits and surplus and dividing by number of shares; no deduction for indebtedness. Amending '96 ch.908 §23. N. Y. 550, 25 Ap
- 1713 Corporations subject to supervision of banking department to pay annual tax of 2c on each \$1000 of trust funds. Amending '91 ch.190. Pa. 215, 29 My
- 1714 Brokers and private bankers to pay  $1\%$  [formerly  $3\%$ ] tax on *gross receipts* [formerly profits] for benefit of *contingent* [formerly sinking] fund. Amending '95 ch.283. Pa. 266, 13 Je
- 1715 Insurance companies. State tax on *gross receipts* and surplus of insurance companies. Del. 15, 7 Mr
- 1716 Insurance companies taxed  $1\%$  on premiums received. Ga. p.28, 21 D 00
- 1717 In assessing specific  $3\%$  tax on foreign mutual fire insurance companies insurance commissioner to deduct from gross premiums amount of cash dividends and return premiums. Mich. 122, 16 My
- 1718 Fidelity and casualty insurance companies to pay  $2\%$  [formerly  $1\%$ ] tax on gross premiums. Amending P.S.'01 ch.169 §14. N. H. 67, 20 Mr
- 1719 Tax on domestic insurance companies; and on companies of other states except fire and marine,  $1\%$  on gross premiums; on companies of foreign countries except life, health or casualty,  $\frac{1}{2}\%$  on gross premiums; payable June 1. Personal property equal to unearned premiums to be charged as liability exempt from taxation. N. Y. 118, 16 Mr; 616, 29 Ap

- 1720 Taxes, fines and penalties of insurance companies to be paid into general fund [formerly common school fund].  
Or. p.142, 26 F
- 1721 Marine insurance agents to pay \$50 license and 2% tax on premiums collected less losses paid. Wash. 180, 26 Mr
- 1722 Amending C.'00 ch.34 §1, 7-13 concerning insurance companies; foreign companies to make annual returns to auditor; regulations as to license taxes. W. Va. 107
- 1723 Increasing license fees of insurance companies; companies not on assessment or stipulated premium plan to pay 3% [formerly 1%] of gross income except that from real estate, and premiums outside state; foreign non-assessment companies to pay \$300 annually [formerly 1% of premiums collected in state]; stipulated premium plan companies to pay \$300 annually; regulations. Amending S.'98 §1220. Wis. 21, 28 F
- 1724 Repealing R.S.'90 §1771 providing for tax on insurance companies. Wy. 4, 31 Ja
- 1725 Organization tax of guarantee companies \$25 [formerly \$50]; annual tax \$25 [formerly \$10], \$1 for each agent appointed in state and 2½% on gross premiums. Amending R.S.'99 §3250-51. Wy. 17, 11 F
- 1726 Public service corporations. Privilege tax on sleeping-car companies \$1250 [formerly \$500] annually. Amending C.'96 §3907. Ala. p.217, 5 Mr
- 1727 Submitting constitutional amendment that rights of way, franchises and land may be taxed for state purposes at higher rate than 4 mills on \$1 valuation. Vote November 1902. Col. 45, 21 Mr
- 1728 State tax on gross receipts of public service corporations. Del. 15, 7 Mr
- 1729 Railroads to list property for taxation and specify in which subdivision of county it is located; list to be filed with county auditor and delivered by him to assessor. Amending '91 ch.99. Ind. 36, 27 F
- 1730 Companies operating oil, refrigerator, horse, cattle, hog or sheep cars to be sleeping-car companies for purposes of taxation. Amending '93 ch.171 p.377. Ind. 56, 4 Mr
- 1731 For purposes of taxation word "railroad" applies to electric roads. Ind. 81, 5 Mr
- 1732 Regulating incorporation of navigation companies and providing for taxation; vessels to be taxed 3c a ton on registered tonnage. Ind. 110, 7 Mr
- 1733 Annual excise tax on railroad when average receipts a mile are not over \$1500, 1-2% [formerly ¼%] of gross transportation receipts; average receipts \$1500 to \$2000 [formerly \$2250] 3-4% [formerly ½%]; and so on, increasing rate ¼% for each additional \$500 [formerly \$750] of average gross receipts a mile or fraction; rate in no event to exceed 4% [formerly 3%]. Amending R.S.'83 ch.6 §42. Me. 145, 20 F

- 1734 Companies and persons doing express business to pay tax of 2% [formerly 1½%] of gross receipts. Amending R.S.'83 ch.6 §55. Me. 147, 21 F
- 1735 Tax on street railroad companies, when gross receipts a mile do not exceed \$1000, to be  $\frac{3}{20}\%$  [formerly  $\frac{1}{10}\%$ ]; for each additional \$1000,  $\frac{3}{20}\%$  [formerly  $\frac{1}{10}\%$ ]. Amending R.S.'83 ch.6 §47. Me. 156, 26 F
- 1736 Owners of palace cars to pay tax equal to 4% of annual gross earnings. Me. 174, 12 Mr
- 1737 Amending R.S.'83 ch.6 §48-54 relating to taxation of telegraph and telephone companies; annual returns to secretary of state; state taxes, how apportioned and ascertained; companies' books open to assessors. Me. 201, 19 Mr
- 1738 Submitting constitutional amendment empowering legislature to create state board of assessors to tax property paying specific taxes at averages rate of ad valorem taxation. *Adopted November 1900.* Mich. J.R.1, 15 O 00
- 1739 Tax on express companies of 6% [formerly 3%] of gross receipts; penalty for non-payment 10% for 1st month and 1% a month thereafter. Amending '97 ch.300 §6. Minn. 124, 2 Ap
- 1740 Tax on railroad companies of 4% on gross earnings; act to be voted on by people November 1902. Minn. 150, 6 Ap
- 1741 State treasurer may *sue* telegraph or telephone company and distrain property for taxes. Amending '91 ch.8 §5. Minn. 180, 9 Ap
- 1742 Bridges, property and franchises of telegraph, telephone and express companies to be taxed same as railroads. Amending R.S.'99 §9387-91. Mo. p.223, 224, 225, 27 F
- 1743 Franchises of corporations operating public utilities to be assessed, and taxed at regular rate. Mo. p.232, 9 Mr
- 1744 Special franchise does not include crossing of streets unless crossing is at other than right angles and 250 feet long. Amending '96 ch.908 §2. N. Y. 490, 23 Ap
- 1745 Companies owning railroads leased to other corporations to pay tax of 3% on dividends over 4%. Amending '96 ch.908. N. Y. 558, 26 Ap
- 1746 Street car companies not paying percent of gross receipts due city may be released from liability by paying amount due and 7% interest. N. Y. 637, 2 My
- 1747 State board of equalization to assess at actual value franchise and property of express, freight, car, telegraph and telephone companies; powers of investigation defined; millage value to be apportioned to each county, except unorganized counties. N. D. 26, 9 Mr
- 1748 Providing for assessment of taxes on railway cars owned by persons residing outside state; not to apply to passenger cars nor to cars owned by railroads; railroads to report to controller average number of cars used in state. Tenn. 48, 20 Ap

- 1749 Amending R.S.'98 §2562, 2605, 2610, 2620 relating to collection of taxes from car companies; secretary of state board of equalization to collect; delinquent lists to be published.

U. 126, 25 Mr

- 1750 Amending C.'99 ch.34 §1, 7-13 concerning telegraph, telephone and express companies; foreign companies, except in case of telegraph lines used for railroad purposes only, to make annual returns to auditor; regulations as to license taxes. W. Va. 107

- 1751 R.S.'99 §1794-97 providing for assessment of railway and telegraph companies extended to include telephone companies.

Wy. 50, 16 F

- 1752 Assessment of railroad cars other than those owned by railroad and sleeping-car companies; car company to report average daily and aggregate mileage of cars annually; railroads to report total mileage of cars of each private company on lines and aggregate of all; state board of equalization to ascertain as basis of assessment number of cars required to make mileage during year.

Wy. 81, 19 F

**Business taxes. Revenue, license or privilege-taxes.** (See also Liquor licenses, 67; Corporation taxes (specially corporation tax often called franchise tax or license) 1678; Warehouses, 4892)

- 1753 General. Generally amending revenue law as to license taxes on industries and occupations. Ala. p.164, 23 F 99. *Unconstitutional*. No record on journals showing that house concurred in senate amendments to bill. *Montgomery beer bottling works v. Gaston*, 28 S. 497.

- 1754 County treasurer to publish in official newspaper list of occupation licenses issued, with fees and dates. Mon. p.61, 4 Mr

- 1755 Dealers in merchandise with sales under \$10,000 [formerly \$5000 to \$10,000] to pay \$10 license tax; hotels, inns and restaurants with receipts \$1000 to \$2000, \$20; \$2000 to \$5000, \$40; over \$5000, \$60; regulations and penalties. Amending C.L.'97 §4141, 4144, 4147, 4149, 4154-56. N. M. 108, 21 Mr

- 1756 Fixing taxes to be paid by dealers in various commodities. 37p.

N. C. 9, 15 Mr

- 1757 City and county treasurers to sue within 30 [formerly 10] days for recovery of mercantile licenses unpaid. Amending '99 ch.118. Pa. 271, 14 Je

- 1758 Blind persons exempted from county privilege and license tax to be exempt from state privilege and license tax except on liquor traffic. Tenn. 87, 30 Ja

- 1759 Miscellaneous occupations, etc. Cities over 5000 may levy tax on wheeled vehicles except bicycles; used for repairing streets.

Ark. 66, 26 Mr

- 1760 County court to fix county tax for public exhibitions for personal profit; exceptions; in cities over 20,000 theater tax for county purposes to be \$100. Ark. 165, 23 My

- 1761 Bona fide proprietor of hotel or boardinghouse may solicit patronage without paying license for badge. Amending '97 ch.45.

Ark. 173, 23 My

- 1762 Amending '91 ch.34 relating to phosphate mining in navigable waters; tax of 50c a ton not to apply to mining for own use on land within 10 miles of deposits. Fla. 96, 30 Ap
- 1763 \$3075 to reimburse commission merchants for licenses. Ill. p.26, 10 My
- 1764 Stamp tax of 10c a gallon on distilled liquors; governor to appoint special license commissioner for 4 years at \$3000; bond; duties; regulations. Mo. p.226, 17 Ap
- 1765 Amending '95 ch.57 relating to sheep licenses; provisions not to apply to holder of land equal to 1 acre for each 3 [formerly 2] sheep; lessee not regarded as holder of land; but 1 license required annually for sheep in state [formerly same county]. Nev. 51, 14 Mr
- 1766 Fixing license tax on oyster boats without deck or cabin. N. C. 253, 14 Mr
- 1767 Nonresident owners of live stock to pay to county entered 50c a month for each head; collection. N. D. 155, 13 Mr
- 1768 Agents or employees of business detectives or detective agencies exempt from licensing act. Amending '87 ch.107. Pa. 218, 31 My
- 1769 Bill, stock and exchange brokers exempt from 3% tax on receipts. Amending '50 ch.442. Pa. 254, 7 Je
- 1770 Nonresident owners of live stock to pay in addition to other taxes 50c a month for each head of stock feeding on state ranges; regulations. S. D. 53, 5 F
- 1771 Travelling salesman for stoves and ranges to pay \$10 state license fee. Amending C.'99 ch.32 §2, 79. W. Va. 65, 21 F
- 1772 Tax on vessels 3c a net ton of registered tonnage; statement; division of tax. Wis. 192, 17 Ap
- 1773 Person cutting ice in meandered lakes for shipment out of state to give \$10,000 bond and pay license of 10c for each ton shipped; regulations. Wis. 470, 15 My

#### Local finance<sup>1</sup>

- 1774 General. Public books to be kept by county, city and precinct officers receiving fees or public money. Id. p.208, 14 Mr
- 1775 Counties, cities and townships not to sell railroad or other stock held by them *less than 10 years prior to sale* unless authorized by two-thirds vote of electors. Amending '75 ch.124 §1. Kan. 287, 1 Mr
- 1776 Mayor and council of cities of 10,000 to 15,000 may levy tax or issue bonds for internal improvements; procedure. Repealing '95 ch.366; '99 ch.84. Kan. 366, 1 Mr

<sup>1</sup>Only the *purely* financial matters are here placed. Authorization of taxes, assessments, bonds, etc. for special municipal purposes—schools, libraries, lights, streets, etc. are classified under these heads. They are however also *indexed* under Taxes, etc. Miscellaneous provisions as to assessment and collection of taxes in local bodies are under Taxation, as such provisions usually apply to all classes of taxes. Provisions relating to election, term of office, etc. of financial officials are under Local government, but those relating solely to their financial duties are placed here. See particularly Special assessment, 366; School finance, 278.

- 1777 Treasurer of cities under 10,000 to have custody of money and evidences of value *subject to council*; council may name depository; treasurer not liable for depository; to pay out money according to law and *as directed by council* [formerly on warrant of clerk and mayor]. Amending C.L.'97 §3033.  
Mich. 156, 22 My
- 1778 Board of supervisors or county auditors to prepare bookkeeping system for officers handling county funds; misdemeanor to disobey; regulations adopted. Mich. 237, 6 Je
- 1779 Fixing powers, duties and limitations of county commissioners in levying county taxes in counties of 200,000; 25 funds; itemized statement of estimates; duties of auditor and treasurer. Minn. 264, 11 Ap
- 1780 District judge to appoint appraisers to adjust certain claims against county. Nev. 86, 20 Mr
- 1781 Annual appropriations in cities need not be submitted to voters. N. J. 83, 20 Mr
- 1782 Towns and cities may deposit trust funds in public treasury and pay  $3\frac{1}{2}\%$ ; may receive funds for care of cemeteries or for school district sinking funds and pay not over  $3\frac{1}{2}\%$ ; income to be expended under terms of trust or contract. Amending P.S.'01 ch.40 §5. N. H. 83, 21 Mr
- 1783 Commissioners of public works to make monthly reports to city or town council of receipts and disbursements; concurrence of council necessary to incur indebtedness. Amending '96 ch.39 §3. S. C. 413, 19 F
- 1784 Financial statement of cities to be published annually before 1st Monday in *February* [formerly July]; to show expenditures for year ending preceding *December* [formerly June] 31. Amending '99 ch.20. U. 91, 14 Mr

## Taxes

- 1785 On two-thirds vote of electors, cities may levy tax for specific improvements. Cal. 137, 15 Mr
- 1786 Amending '97 ch.1 §1, 3-4, 9, 12 as to assessment and collection of special taxes. Fla. 1, 31 My
- 1787 Amending '00 ch.399 §2 as to rate of taxation in cities under 100,000. Mass. 264, 8 Ap
- 1788 During first 10 years new counties not to raise over \$50,000 [formerly \$20,000] for all purposes exclusive of school tax which may be  $1\%$  [formerly  $\frac{4}{10}\%$ ]. Amending '99 ch.104. Minn. 192, 9 Ap
- 1789 In cities of 500 to 3000 without assessor mayor to get from county clerk before *July* [formerly May] 1 certified abstract from assessment books. Amending R.S.'99 §5941. Mo. p.69, 20 Mr
- 1790 Submitting constitutional amendment; St Louis may levy for municipal purposes in addition to municipal rate of taxation, rate not over what would be allowed for county purposes if city were part of county. Amending art.10 §11. Vote November 1902. Mo. p.262, 14 Mr



- 1791 Amending '97 ch.33 as to apportionment of tax levy money for county purposes. Nev. 57, 15 Mr
- 1792 Common council of municipality may abate, settle or adjust taxes due town or township that has become part of city. Supplementing '90 ch.18. N. J. 203, 22 Mr
- 1793 Taxes collected by municipal bodies outside of corporate limits to be refunded. N. C. 327, 1 Mr
- 1794 Boroughs may levy 1% tax on valuation assessed for county purposes [formerly not till voted indebtedness had been paid]. Amending '95 ch.254. Pa. 123, 11 Mr
- 1795 State treasurer to refund to counties, cities or towns money remaining after paying obligations for which collected. Tex. 16, 5 Mr

**Depositories**

- 1796 Municipal corporation treasurer may deposit public funds in banks giving surety company bonds. Minn. 203, 10 Ap
- 1797 Amending R.S.'99 §6819-21 relating to depositories for county funds. Mo. p.101, 5 Mr
- 1798 County commissioners may require bank depositories to file surety company bond. Amending R.C.'99 §1941. N. D. 65, 13 Mr
- 1799 Amending R.C.'99 §1942 relating to selection of rival depositories for county funds. N. D. 68, 2 Mr

**Debts. Bonds**

- 1800 Refunding bonded indebtedness in cities under 200,000. Amending '97 ch.82. Cal. 114, 12 Mr
- 1801 Amending '91 ch.161 as to issuing bonds by sanitary districts. Cal. 208, 23 Mr
- 1802 County clerk to file with auditor list of judgments against municipality; board of supervisors or legislative body of municipality to raise tax for payment. Cal. 236, 23 Mr
- 1803 Liabilities of county formed from other county or counties may be funded or refunded. Col. 61, 27 Ap
- 1804 Voters may authorize city council or board of trustees to issue refunding bonds payable at option; may be exchanged or sold; annual tax levy for redemption fund; regulations. Col. 109, 30 Ap
- 1805 Sanitary districts not to borrow over \$20,000,000 [formerly \$15,000,000]. Amending R.S.'99 ch. 24 §351. Ill. p.165, 10 My
- 1806 Municipal or school district warrants not paid within 30 days to bear 5% interest unless lower rate stipulated. Amending R.S.'99 ch.146a. Ill. p.321, 11 My
- 1807 Cities of 2000 to 15,000 may issue bonds to fund floating indebtedness; procedure; form. Kan. 113, 2 Mr
- 1808 County commissioners to invest accumulated sinking funds in bonds. Amending '74 ch.124 §2. Kan. 132, 14 F
- 1809 Amending '91 ch.163 §1 as to power of counties, cities, boards of education and township and school districts to compromise and refund bonded indebtedness. Kan. 288, 2 Mr
- 1810 Providing for payment of county orders issued in behalf of unorganized counties. Minn. 44, 14 Mr

- 1811 Amending '93 ch. 148 §1 as to refunding bonds of municipal corporations. **Minn.** 163, 6 Ap
- 1812 County commissioners may issue 5% 15 year bonds to fund floating indebtedness existing Feb. 1, 1901; regulations. **Minn.** 164, 6 Ap
- 1813 Municipal corporation may invest sinking fund in its own bonds. **Minn.** 176, 9 Ap
- 1814 Territory of dissolved municipality to be liable for debts contracted before dissolution. **Minn.** 201, 10 Ap
- 1815 Corporate indebtedness of dissolved village to become part of indebtedness of village in which it is included. Amending G.S.'94 §1214. **Minn.** 358, 13 Ap
- 1816 Amending R.S.'99 §5157 relating to municipal bonds and refunding of municipal indebtedness; no indebtedness founded on bonds in aid of railroad to be funded nor substitutes issued unless authorized by popular vote. **Mo.** p.52, 16 Mr
- 1817 Aldermen in cities of 500 to 3000 to select depositories for or loan moneys in sinking fund. **Mo.** p.67, 22 Mr
- 1818 Cities of 500 to 3000 on two-thirds vote may issue bonds to pay court judgments; procedure. **Mo.** p.67, 27 Mr
- 1819 Bonds for city indebtedness to be payable in *from 5 to 20 years* [formerly in 20 or in 5 years] Amending R.S.'99 §6353. **Mo.** p.83, 27 F
- 1820 County commissioners in counties not under township organization may issue 20 year 6% funding bonds to pay bonded indebtedness of precinct; annual tax to meet bonds at maturity. **Neb.** 10, 28 Mr
- 1821 County treasurers may invest sinking funds in warrants and bonds of county *payable before sinking fund is due*. Amending C.S.'99 ch.93 §19. **Neb.** 75, 1 Ap
- 1822 Amending '99 ch.110 as to indebtedness of cities, towns, townships and boroughs; regulating issue and sale of bonds. **N. J.** 3, 11 F
- 1823 Temporary loan 2 year 5% bonds may be issued by board of chosen freeholders. Supplementing G.S.'95 p.430. **N. J.** 131, 22 Mr
- 1824 Establishing commissioners of sinking fund in towns; to consist of treasurer, chairman of finance committee of council, and 3 members appointed by councilman at large with consent of town council; term 3 years; no salary. Supplementing '95 ch.113. **N. J.** 158, 22 Mr
- 1825 City bonds to be issued by board of finance. Supplementing '99 ch.110. **N. J.** 185, 22 Mr
- 1826 Incorporated towns and villages may issue coupon bonds not over \$50,000 [formerly \$40,000] in denomination of \$1000 [formerly \$100] at 6% [formerly 4%]; to apply to cities incorporated under act of congress. Amending '99 ch.78 §1, 3. **N. M.** 33, 16 Mr
- 1827 County commissioners in counties where bonded indebtedness exceeds 15% of assessed valuation of taxable property may compromise and refund bonded indebtedness; form of bonds;

- interest; penalty; sinking fund; registration. Repealing '99 ch.58 §29. N. M. 41, 18 Mr
- 1828 County and municipal corporations to refund matured and maturing bonds, coupons and judgments [formerly and other lawful indebtedness]; refunding bonds to be paid in U. S. money specified and to bear *not over 5%* [formerly 4%]; 4% bonds not to be sold at less than 90% of par. Amending '99 ch.58 §13-15, 22-24. N. M. 44, 19 Mr
- 1829 2% of amount of refunding bonds of municipal corporation *may* [formerly shall] be payable yearly. Amending '92 ch.685 §7. N. Y. 333, 12 Ap
- 1830 Ratification by legislature of constitutional amendment; limitation as to bonded indebtedness not to apply to Columbia, Rockhill, Charleston and Florence, if bonds are applied solely to water and sewerage; nor to Georgetown if applied solely to water, sewerage and light. *Adopted November 1900.* S. C. 353, 8 F
- 1831 Cities under 2000 may loan sinking fund; kind of securities allowed; regulations. S. D. 76, 9 F
- 1832 Submitting constitutional amendment limiting public debts to 5% on valuation of taxable property except for purposes of providing water and sewerage, or in cities of 8000 for providing street railways and lighting; regulations. *Vote November 1902.* S. D. 89
- 1833 Counties may issue bonds to fund outstanding indebtedness; regulations. S. D. 94, 14 F
- 1834 Towns may issue refunding bonds; regulations. S. D. 199, 14 F
- 1835 Taxing districts and cities may execute trust deeds and mortgages on parks and public property as security for bonds; to establish and invest sinking fund. Tenn. 9, 8 F
- 1836 Referring to next legislature constitutional amendment limiting indebtedness of counties, cities and towns to 10% of value of taxable property. Tenn. p.1265, 19 Ap
- 1837 Counties may issue refunding bonds *at rate of interest same as or lower than on bonds issued or to be issued hereafter*; state controller not to register funding or refunding bonds till old are presented for cancelation. Amending R.S.'95 §883, 918e. Tex. 13, 28 F
- 1838 Indebtedness of counties on promissory notes may be funded by commissioners. Amending R.S.'98 §514. U. 32, 13 Mr
- 1839 Sinking funds may be invested in state, municipal or school district bonds of Utah. U. 84, 14 Mr
- 1840 Outstanding orders of fire district to cease to draw interest after notice of day for presentation. Amending S.'94 §3051. Vt. 45, 14 N 00
- 1841 Chartered cities may validate indebtedness incurred in paying salaries of elective officers when compensation was not mentioned in charter. Wash. 39, 1 Mr
- 1842 Counties, cities and towns may validate warrants drawn in excess of 1½% of assessed valuation; submission to voters. Wash. 50, 6 Mr

- 1843 Counties, cities and towns may refund outstanding bonds when exchanged at par value. Amending '95 ch.170. *Wash.* 54, 6 Mr
- 1844 \$30,000 for relief of innocent buyers of county orders issued under invalid law providing for treatment of inebriates. *Wis.* 468, 13 My
- 1845 Referring to next legislature amendment to constitution requiring cities over 25,000 to levy annual tax sufficient to pay principal and interest of public debt within 50 years. *Wis.* j.r. 11
- 1846 When bonded indebtedness of county matures with no funds available, county commissioners may issue 20 year refunding bonds at rate not over that of maturing bonds. *Wy.* 105, 19 F

## Property and contract rights

(For all laws relating to actions at law concerning such rights, *see* Civil procedure, 2449)

### Possession and transfer

(Provisions relate chiefly to real property. *See also* Aliens, 719)

#### Ownership. Title. Boundaries

- 1847 Titles. (*See also* Title to real property, 2660) Title to land forming in navigable waters to vest in owner of land bordering on stream in which it is. *Ark.* 127, 26 Ap
- 1848 Bonds for land titles executed with formality of deeds admissible for record; record to be notice of interest in property; surrender of bond to be recorded same as cancellations of mortgages. *Ga.* p.68, 19 D 00
- 1849 Patents to swamp lands sold by county courts before 1880, on which taxes have been paid over 20 years, to be held valid. Amending R.S.'99 §8197. *Mo.* p.202, 14 Mr
- 1850 Covenants of warranty not considered broken by existence of highway or railway on land, unless specified. *N. D.* 64, 12 Mr
- 1851 Amending R.C.'99 §6670 and repealing §6671 as to determining title to real estate. *N. D.* 201, 13 Mr
- 1852 Abstracts of title to be competent evidence of county records prior to 1890 [formerly 1877] when records were lost during May 1874, March 1876 or January 1899; compliance with former law sufficient. Amending R.S.'95 §2313. *Tex.* 35, 29 Mr
- 1853 Boundary lines. Plats. Owner of land newly surveyed or platted to file map 25x27 inches with town clerk. *Ct.* 181, 17 Je
- 1854 Providing for permanent survey of lands. *Ill.* p.307, 10 My
- 1855 In appeals from finding of county surveyor when court decides against line established it shall require surveyor to locate new line. *Ind.* 98, 8 Mr
- 1856 Shore owners on meandered waters to be owners of bed thereof in common; partition in case waters recede. *Minn.* 257, 23 Ap 97. *Unconstitutional.* Bed of meandered waters is owned in severalty; to deprive of such ownership is taking property without due process of law. *Shell v. Matteson*, 83 N. W. 491.

- 1857 Land entries not defeated by mistakes in surveys and plots; procedure for correction. N. C. 734, 15 Mr
- 1858 On petition of two thirds of land owners in unorganized townships section and quarter section landmarks to be established. S. D. 204, 28 F
- 1859 County commissioners may order survey and platting of irregular tracts. Wash. 124, 16 Mr
- 1860 Majority of owners of section of land may apply to county surveyor for establishment or relocation of lines or corners; 10 days written notice to be given adjoining owners; regulations. Wis. 449, 14 My
- 1861 **Miscellaneous.** Misdemeanor to take possession of real property without authority of owner; penalty; exception. Ark. 72, 29 Mr
- 1862 On notice and petition real estate subject to contingent remainders may be sold or mortgaged; notice to all interested in estate. Me. 245, 21 Mr
- 1863 In cities over 50,000 real property not to be offered for sale or loan thereon applied for without written authority of owner. Adding §640d-e to Pen.C. N. Y. 128, 19 Mr
- 1864 Public performance of unpublished or undedicated dramatic or musical composition for profit and without consent of proprietor a misdemeanor. Or. p.172, 27 F
- 1865 Unpublished musical compositions and plays not to be presented for profit; penalty \$500. Pa. 209, 29 My
- Acquisition. Conveyances.** (See also Mortgages, 1934; Property of married women, 1910)
- 1866 **Acknowledgments.** Clerks of courts of record in any state may take acknowledgments. Amending C.'96 §994. Ala. p.42, 8 D 00
- 1867 Deeds may be acknowledged before any commissioner *in possessions of U. S. or in foreign countries.* Amending R.C.'93 ch.83 §10. Del. 82, 7 Mr
- 1868 Governor may appoint commissioners of deeds in states, *territories and possessions of U. S. and foreign countries.* Amending R.C.'93 ch.36 §4. Del. 63, 7 Mr
- 1869 Deeds executed out of state to be attested by notary *with seal or certificate of official position made by clerk of court of record; deed to realty to be attested by 2 witnesses.* Amending C.C.'96 §3621. Ga. p.52, 18 D 00
- 1870 Governor *with consent of council* may appoint commissioners to take acknowledgments in foreign countries; *term 3 years [formerly during pleasure of governor]; fee \$5 from each commissioner.* Amending P.S.'82 ch.18 §13. Mass. 149, 14 Mr
- 1871 State senators and representatives may administer oaths and take depositions and acknowledgments. Mich. 127, 16 My
- 1872 U. S. soldiers and sailors when outside jurisdiction of any state may execute deeds and other instruments before commissioned officer. Minn. 64, 16 Mr

- 1873 Commissioner of deeds to take oath before *judge or clerk of U. S. or state* or residence district court of record. Amending R.S.'99 §6574. Mo. p.86, 20 Mr
- 1874 Conveyances of real property may be executed in Porto Rico, Philippines, Cuba or other place under control of U. S. before judge of court of record, mayor, commissioner appointed by governor of New York or any officer of U. S. army or navy of rank equal to captain or lieutenant. Amending '96 ch.547. N. Y. 84, 11 Mr
- 1875 Acknowledgments of deeds of real property may be made in United Kingdom before notaries public. Amending '96 ch.547 §250. N. Y. 611, 27 Ap
- 1876 Amending '99 ch.235 §8 relating to form of acknowledgment of deeds by husband and wife. N. C. 299, 28 F
- 1877 Instruments signed by husband and wife may be registered without separate examination of wife; not to be taken as deed of wife. Amending '99 ch.235 §8. N. C. 637, 13 Mr
- 1878 Acknowledgments may be made in foreign countries before secretary of legation. Amending R.C.'99 §3576. N. D. 3, 6 Mr
- 1879 Notaries public to indorse on acknowledgments date of expiration of commissions. N. D. 126, 7 Mr
- 1880 Acknowledgments of married woman to have same force and effect as if feme-sole. Pa. 35, 4 Ap
- 1881 Acknowledgments before U. S. military and civil officers in Cuba, Porto Rico and Philippines or other jurisdiction of U. S. are valid. Pa. 179, 21 My
- 1882 U. S. commissioners appointed by U. S. courts in Pennsylvania may administer oaths and take acknowledgments. Pa. 201, 24 My
- 1883 Acknowledgments may be made in foreign countries before consular agents or notaries public. Amending Ballinger's Codes '97 §4530. Wash. 53, 6 Mr
- 1884 Recording officer. Recorders in counties with valuation under \$1,500,000 to receive in addition to salary half of fees for recording mineral claims. Ari. R.S.'01 p.1447, 11 F
- 1885 County recorder to give bond of \$4000 [formerly \$2000]. Amending 1 R.S.'52 p.428. Ind. 15, 14 F
- 1886 County commissioners [formerly trustees of superior court] may fix hours of business in registers of deeds offices. Amending '00 ch.327. Mass. 383, 16 My
- 1887 Deputy to have same power in cancelation of mortgages as register of deeds. Amending '91 ch.180. N. C. 46, 29 Ja
- 1888 Recorders of deeds and registers of wills to be elected in counties over 150,000. Pa. 178, 21 My
- 1889 County board may fix salary of register of deeds and assistants; fees to be paid to county treasurer. Wis. 410, 14 My
- 1890 Record of conveyance. (See also County and township government, records, officers, fees, etc.) Providing for re-recording of instruments affecting real estate when original record is burned; proceedings for reestablishment to begin within nine months of act. Fla. 66, 30 My

- 1891 When county records have been burned freeholder may petition court with chancery powers for decree confirming title; procedure; not to affect liens. Fla. 68, 31 My
- 1892 Deeds, mortgages and other instruments recorded by county registers of deeds to be notice of record; record to be competent evidence when original is shown to be lost. Kan. 124, 5 Mr
- 1893 Instruments executed in another state to be received for record if certified to by officer of court of record. Minn. 372, 13 Ap
- 1894 Extending time for registering land grants 3 years. N. C. 175, 18 F
- 1895 On instrument entitled to record without regard to taxes, county auditor to enter over official signature "transfer entered." Amending R.C.'99 §1278. N. D. 144, 5 Mr
- 1896 Providing for recording titles acquired by 21 years adverse possession. Pa. 217, 31 My
- 1897 County surveyor and recorder to keep "present ownership maps" showing owners of real estate in county. Amending '99 ch.43. U. 99, 14 Mr
- 1898 **Torrens system.** Adopting Torrens system of land registration for counties over 75,000; owner, agent or guardian may apply to district court for registration of title; registers of deeds to be registrars of title; judges of district courts to appoint competent attorneys as examiners of titles in each county; clerk of court to keep land registration docket; proceedings; incumbrances on title; conveyance of registered land not effective till registered; fees; regulations. 30p. Minn. 237, 11 Ap
- 1899 Supreme court may appoint 3 persons as state land transfer commission; to investigate land transfer systems; to draft bill for improvement of present system in state; report; compensation \$500 and expenses. Neb. 80, 1 Ap
- 1900 Adopting Torrens system of registering land titles; application to be made to circuit court; court to appoint examiner of titles; proceedings on registration; form of certificate; transfers; mortgages; tax sales; indemnity fund; fees. Or. p.438, 1 Mr
- 1901 Joint resolution requesting certain persons to report to next legislature bill embodying Torrens system of land registration. Va. 210, 15 F
- 1902 **Miscellaneous.** Contract for buying real estate from insane person without notice of insanity not to be void, but insane person may recover difference between market value of real estate and price paid, with interest. Ala. p.158, 2 Mr
- 1903 Appointment of agent for sale of real estate to be in writing. Ind. 67, 5 Mr
- 1904 Land contract to be considered conveyance as term is used in G.S.'94 §4185. Minn. 37, 13 Mr
- 1905 Describing form of deeds in fee simple and quitclaims. Minn. 197, 10 Ap
- 1906 Buyer of land under contract for future conveyance to be served with written notice of cancelation if within state [formerly county]. Amending '97 ch.223 §3. Minn. 294, 13 Ap

- 1907 County auditor to attach certificate to abstract of title to real estate; fee 25c. N. D. 1, 12 Mr
- 1908 Real estate conveyances to be in writing and signed by *grantors* [formerly parties thereto]. Amending 97 ch.8. Okl. 10, 8 Mr
- 1909 Deeds executed by successor in office of sheriff, coroner or tax collector to be prima facie evidence of truth of statements in deed. Amending C.'58 §3058. Tenn. 145, 20 Ap

**Family property. Property rights of married women**

- 1910 Husband of woman in insane hospital whose insanity is recorded by probate judge, may convey real estate *except* homestead by deed or mortgage; copy of certificate of wife's insanity to be attached to deed. Amending '99 p.89. Ala. p.189, 4 Mr
- 1911 Sale or mortgage of furniture or clothing of wife and minor children which is community property not to be made without written consent of wife. Amending C.C. §172. Cal. 190, 23 Mr
- 1912 Married woman under age may convey real estate if husband joins in deed. Fla. 70, 10 My
- 1913 By order of court person whose husband or wife is of unsound mind may convey real estate owned by such person. Ind. 120, 9 Mr
- 1914 Amending '97 ch.292 as to conveyance of personal property by married persons. Minn. 12, 25 F
- 1915 No married woman to be liable for debts of husband; husband to be liable only for necessities furnished wife after marriage; joint liability for necessary articles used by family. Minn. 22, 2 Mr
- 1916 Deed of married woman in which husband joins by power of attorney is valid. Supplementing '98 ch.232. N. J. 100, 21 Mr
- 1917 Married woman may convey life estate without husband joining. Supplementing G.S.'95 p.852. N. J. 183, 22 Mr
- 1918 Defining property rights and powers of married persons. N. M. 62, 20 Mr

**Miscellaneous**

- 1919 Person may change name on filing declaration with register of deeds; acknowledgment; record; fee. Wis. 136, 1 Ap
- 1920 **Homesteads.** Statute of limitations not to run against payment due from owner of homestead, provided homestead be assigned to judgment debtor within 10 years from docketing of judgment; owner of judgment to assign homestead. Amending '85 ch.359 §1. N. C. 612, 13 Mr
- 1921 When homestead is sold on execution or foreclosure, occupant to have right of redemption without accounting for occupation. Wash. 53, 8 Mr 99. *Partly unconstitutional.* Impairs obligation of contracts made before its passage. Canadian & American mortgage & trust co. v. Blake, 63 P. 1100.
- 1922 Homestead exemption not to exceed \$5000 in value; procedure in setting apart; definition. Amending §2983-84, and adding §2984a. Wis. 269, 2 My



- 1923 Exemptions from execution.** Artesian well machinery exempt from execution. Amending C.C.P.'99 §690. Cal. 28, 23 F
- 1924** Extending list of property exempt from execution. Amending C.C.P.'99 §690. Cal. 28, 23 F
- 1925** Repealing '95 ch.296 exempting household goods of absconding debtors from execution. N. J. 75, 20 Mr
- 1926** Correcting verbal error in C.C.P. §1391 relating to exemption from execution. N. Y. 116, 15 Mr
- 1927** Additional exemptions of property from process, levy or sale not to exceed \$1000 [formerly \$1500]. Amending R.C.'99 §5518, 5522, 5528. N. D. 76, 12 Mr
- 1928** Personal property not exempt from execution in action for collection of bill of physician or nurse or for hospital attendance. Amending R.C.'99 §5526. N. D. 77, 27 F
- 1929** No property exempt from execution on judgment against agent for liability to client or principal for money or other property intrusted to him. Wash. 158, 18 Mr

**Eminent domain—general grants.** (See also Condemnation proceedings, 2696; and special purposes for which property may be taken)

- 1930** Increasing cases in which right of eminent domain may be employed. Amending C.C.P. §1238. Cal. 57, 28 F
- 1931** Prescribing procedure for exercise of eminent domain; petition; trial; right of way of railroads; only easement conveyed. Fla. 133, 22 My
- 1932** Amending G.S.'94 §2604 relating to exercise of eminent domain by corporations. Minn. 360, 13 Ap
- 1933** Eminent domain may be exercised for sites for electric light and power plants and for pipe lines for conducting liquids in manufacture of beet sugar. Amending R.S.'98 §3588. U. 25, 5 Mr

#### Liens. Incumbrances

- 1934 Mortgages—general.** In case of claim by mortgagee or lien holder plaintiff may pay amount due *within 10 days from date of ascertainment*. Amending C.'96 §4145. Ala. p.39, 6 D 00
- 1935** Amending '98 ch.25 by *repealing* section requiring lender's affidavit that debtor will not be required to pay tax on evidence of indebtedness. Del. 58, 9 Mr
- 1936** Corporation's attorney may satisfy mortgage. Amending R.C.'93 ch.83 §22. Del. 205, 3 Ap
- 1937** When mortgagee fails to file satisfaction of mortgage within 60 days mortgagor may obtain from county superior court rule to show cause; service; on return of rule court to order satisfaction recorded. Del. 211, 9 Mr
- 1938** Creditor receiving full payment on mortgage, lien or judgment to record satisfaction of debt. Fla. 34, 31 My
- 1939** When debt secured by mortgage has been paid mortgagee to discharge mortgage within 10 days after request; penalty \$25. Amending '93 ch.58. Ind. 44, 28 F
- 1940** President, vice-president or cashier of bank, or president, vice-president, general manager or secretary of other corporations may release mortgages held by their respective corporations. Ind. 187, 11 Mr

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- 1941 Mayor and council of cities over 15,000 may discharge mortgages or liens on land bought by or deeded to city for public use prior to Jan. 1, 1901. Kan. 111, 2 Mr
- 1942 Town or city clerk to receive 50c [formerly 25c] for recording mortgages and 15c for each 100 words over 500 where printed forms are not furnished. Amending R.S.'83 ch.91 §2. Me. 281, 22 Mr
- 1943 Amending '62 ch.365 authorizing discharge of mortgages presumed to be paid. N. Y. 287, 5 Ap
- 1944 Recorded mortgage to be discharged by register of deeds on presentation of certificate of discharge; personal representative of mortgagee to file power of attorney showing authority. Amending R.C.'99 §4719. N. D. 125, 6 Mr
- 1945 Creditor subrogated to mortgagee when attachment or execution on property fails. Amending S.'93 §3280. Okl. 20, 6 Mr
- 1946 When county is divided and new county erected certified copies of mortgages, judgments and liens recorded in original county to be made and recorded in new county. Pa. 111, 2 My
- 1947 Lien of mortgage on real estate prior to other liens, except purchase money due commonwealth, taxes and assessments not recorded in prothonotary's office at date of mortgage, not to be destroyed by judicial sale; exceptions. Amending '93 ch.62. Pa. 115, 8 My
- 1948 Debts of decedent secured by mortgage or judgment not to remain lien on real estate longer than 2 years unless entered or revived by scire facias 5 years before death. Amending '93 ch.297. Pa. 269, 14 Je
- 1949 Circuit court may discharge paid mortgage of deceased person. S. D. 108, 1 Mr
- 1950 When funds of charitable institution are invested in real estate mortgage, buildings included to be insured by mortgagor in company designated by trustees of institution; renewal; charges. Vt. 62, 14 N 00
- 1951 Satisfaction of mortgage may be acknowledged on margin of record and *is to be attested by auditor or deputy*, or by executing written instrument referring to mortgage *by volume and page of record*. Amending Ballinger's Codes '97 §4563. Wash. 52, 6 Mr
- 1952 Chattel mortgages. '89 ch.176 §1 providing that liens shall not be created on exempt personal property except by joint action of husband and wife not to invalidate lien except in so far as to exempt property. Kan. 103, 5 Mr
- 1953 Felony to execute fraudulent release of chattel mortgage; penalty. Kan. 104, 6 Mr
- 1954 Larceny to injure, destroy or dispose of chattel mortgaged property; penalty. Repealing '99 ch.167. Kan. 105, 2 Mr
- 1955 Chattel mortgages not maturing within 6 years to be valid only 2 years after maturity. Amending '97 ch.292 §4. Minn. 146, 6 Ap
- 1956 Amending '97 ch.292 as to contesting validity of chattel mortgages; procedure. Minn. 355, 13 Ap

- 1957 Chattel mortgaged property in New York city at time of execution of mortgage requires mortgage to be filed there and in county of mortgagor; mortgagee's successor to file in office where original was filed copy of mortgage with statement showing his interest. Amending '97 ch.418 §92.  
N. Y. 219, 28 Mr
- 1958 Chattel mortgage to be witnessed, acknowledged and recorded with county clerk or other recording officer; suspension of lien as to bona fide buyers on removal of mortgaged property from county.  
Or. p.124, 25 F
- 1959 Chattel mortgages valid only when description of property is in writing or typewriting; invalid if printed.  
S. C. 422, 20 F
- 1960 Amending '89 ch.26 providing for holding chattel mortgage sale in adjoining county on due notice to mortgagee; stocks of merchandise may be sold in building in which housed; regulations.  
S. D. 70, 8 Mr
- 1961 Chattel mortgage expires in 1 year unless mortgagee files affidavit with county recorder within 30 days. Amending R.S.'98 §155.  
U. 93, 14 Mr
- 1962 Unlawful to remove mortgaged personal property out of county without consent of mortgagee.  
W. Va. 23, 19 F
- 1963 Mortgage—crops and special objects. More than 1 year's crops may be mortgaged to secure rent of land. Amending '97 ch.292.  
Minn. 320, 13 Ap
- 1964 Misdemeanor to haul on state highway between sunset and sunrise unbaled cotton in seed or ginned, on which there is lien; exceptions.  
Tenn. 3, 5 F
- 1965 Conditional sales. Title notes or evidences of conditional sales to be recorded same as chattel mortgages and remain in effect till fully paid without renewal by vendor; to be released under same terms as chattel mortgages. Amending '89 ch.255 §1.  
Kan. 396, 2 F
- Mechanics and other liens.** (Warehouses, 4892; Irrigation, 5199)
- 1966 Lien for water rent to be continued by filing certificate as for tax lien.  
Ct. 104, 29 My
- 1967 Defendant bailee to be exempt from costs when he has offered to surrender property on receipt of bond of indemnity and on demand surrenders to officer serving writ. Amending G.L.'96 ch.272 §7.  
B. I. 847, 29 Mr
- 1968 Amending '00 ch.782 as to discharge of lien on personal property.  
Va. 323, 16 F
- 1969 Amending Ballinger's Codes '97 §5953 relating to liens on steamers; person having charge of buying supplies for steamer to be deemed agent.  
Wash. 24, 28 F
- 1970 Liens of mechanics, material men and laborers. Contractor to file with contract bond for security of persons furnishing him with labor or materials; failure renders owner and contractor jointly liable. Cal. C.C.P. §1203. *Unconstitutional*. Takes property without due process of law. *Gibbs v. Tally*, 65 P. 970.

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- 1971 Laundry proprietors have lien on property of customers for balance due on work. Amending C.C.§3051. Cal. 108, 12 Mr
- 1972 Amending G.S.'88 §3020 as to notice in case of mechanics lien. Ct. 80, 29 My
- 1973 Shipping vessels built or repaired in state to be subject to lien for payment for work, material and supplies, in preference to other debts except salvage; limit 2 years. Del. 208, 25 F
- 1974 Laborers and furnishers of material and machinery for mill or factory to have lien on building, machinery and land on which situated; regulations. Repealing '93 ch.29. Fla. 71, 30 My
- 1975 Providing for lien on wharf or land for labor or materials; lien for non-contract labor may be prevented by giving notice. Me. 166, 6 Mr
- 1976 Mechanics and material men to have a lien on building or improvements on *licensed lands or licensed interest*. Amending R.S.'99 §4206. Mo. p.206, 20 Mr
- 1977 Mechanics liens may be filed within 90 days after last item in open account and include all items therein. Amending C.C.P. §2131. Mon. p.162, 7 Mr
- 1978 After 3 months dyers may sell at auction goods held by lien; publication and posting of notice; limit of amount sold. Supplementing G.S.'95 p.1971. N. J. 127, 22 Mr
- 1979 After 3 months silk finishers may sell at auction goods held by lien; publication and posting of notice; limit of amount sold. Supplementing '90 ch.284. N. J. 128, 22 Mr
- 1980 Mechanics liens to apply to property of married woman when buildings were erected with her consent or procurement. Amending C.'83 §1781. N. C. 617, 13 Mr
- 1981 Farm laborer to file affidavit and notice of lien within 30 [formerly 10] days after services are fully performed. Amending R.C.'99 §4827. N. D. 87, 8 Mr
- 1982 Persons furnishing labor or materials for improvements on real estate may file mechanics lien; may have improvement sold on execution and removed. N. D. 101, 12 Mr
- 1983 Liens on future earnings of man, animal or machinery not to attach to more than 50% of gross earnings; notice to be served. Amending R.C.'99 §4080. N. D. 118, 5 Mr
- 1984 Public officers or boards authorized to contract for public buildings or improvements to require contractor's bond equal to price stated in contract; sureties; bond to be filed; persons having lawful claims against contractor for labor or materials may institute action to recover on bond. N. D. 133, 27 F
- 1985 Amending R.C.'99 §4820 as to lien on crop for seed grain. N. D. 181, 1 Mr
- 1986 Revision of labor law as to rights and liabilities of parties to contracts for work on structure or improvement. Pa. 240, 4 Je
- 1987 Lien of persons operating threshing machines on grain not to apply to innocent buyers unless filed within 10 days of threshing. Amending '89 ch.88 §1-2. S. D. 174, 8 Mr
- 1988 Providing for enforcement of liens on vessels for labor by stevedores and others. Wash. 75, 16 Mr

- 1989 **Liens on animals.** Owner and keeper of stallion may file lien with township clerk for service before colt is *3 months old* [formerly foaled]. Amending C.L.'97 §10786. Mich. 126, 16 My
- 1990 Debt for shoeing to be lien on animal shod; procedure. Minn. 228, 10 Ap
- 1991 Publication of terms of service sufficient notice of lien on offspring of female animal; misdemeanor to dispose of animal on which there is lien. Amending R.S.'99 §4231-32. Mo. p.206, 9 Mr
- 1992 Owner of male animal *shall* have lien on get for 9 [formerly 6] months; *description to be filed with county clerk within 120 days of birth.* Amending '83 ch.2. Neb. 4, 1 Ap
- 1993 Liens on domestic animals may be secured on account of feeding, grazing, herding and furnishing feed; priority of liens not over 25% of value. Okla. 3, 28 F
- 1994 Person paying license tax of \$2.50 on bulls to have lien on offspring for 6 months from birth. Va. 252, 16 F
- 1995 **Liens on timber.** Person driving logs or lumber under contract to have lien; to take precedence except liens for labor, stumpage and towing. Me. 205, 19 Mr
- 1996 Person hauling hemlock bark or cord wood has lien thereon for services. Amending R.S.'83 ch.91 §29. Me. 241, 21 Mr
- 1997 Laborers employed in cutting or manufacturing lumber, timber and other forest products *or hauling to place of shipment or destination* to have lien for labor or services. Amending C.L.'97 §10756. Mich. 18, 15 Mr
- 1998 In liens for labor on lumber or other forest product, justice of peace to have jurisdiction of persons in county regardless of residence. Amending C.L.'97 §10764. Mich. 94, 30 Ap
- 1999 Unless employee has been discharged or work stopped no lien to be taken on timber for wages till demand for payment has been made. Amending '99 ch.342 §16. Minn. 293, 13 Ap
- 2000 Correcting error in reference to section relating to liens on logs and timber. Amending Ballinger's Codes '97 §5946. Wash. 23, 28 F

### Contracts and other obligations

#### Loans. Negotiable instruments

- 2001 **Negotiable instruments.** Repealing G.S.'88 §1052, 1865-66 as to notes in payment for patents or patented articles. Ct. 96, 29 My
- 2002 Mortgages and trust deeds conveying real estate are negotiable instruments. Ill. p.248, 10 My
- 2003 Obligations in writing for jackass, before signed, to have stamped or written in red across face "*given for jackass.*" Amending R.C.'99 §7671. N. D. 206, 12 Mr
- 2004 Revising law concerning negotiable instruments. Pa. 162, 16 My
- 2005 Written evidence of indebtedness given by employer to employee to be *negotiable* [formerly assignable]. Amending S.'98 §1729a. Wis. 47, 9 Mr

- 2006 Promissory notes for lightning rod, patent or patent right or interest therein to show on face consideration for which given.  
Wis. 268, 2 My
- 2007 Revised law concerning negotiable paper not to affect S.'98 §4193 providing that possession of paper by indorsee is proof of bona fide indorsement.  
Wis. 361, 13 My
- 2008 Interest. Usury. Borrower at usurious rate need repay only principal. Amending C.'96 §2630. Ala. p.164, 4 Mr
- 2009 Lenders may contract for rate of interest allowed by state where property pledged as security is situated; no recovery on deficiency judgment unless excess over legal rate in this state be credited.  
Tenn. 60, 20 Ap

Miscellaneous classes

- 2010 Landlord and tenant. (See also Replevin, 2702) Leasehold estate limited to 99 [formerly 20] years. Amending C.'96 §1032.  
Ala. p.143, 1 Mr
- 2011 Misdemeanor for tenant with rent unpaid to fail to vacate after 10 days notice.  
Ark. 122, 24 Ap
- 2012 Retention of urban real estate not to constitute lease for greater period than shortest interval between rent payments.  
Minn. 31, 11 Mr
- 2013 Amending G.S.'94 §5865 as to reentry of lands by landlords.  
Minn. 72, 22 Mr
- 2014 Tenant holding over in default of payment of rent may be removed [formerly if satisfaction for rent can not be obtained by distress of goods]. Amending G.S. p.1922 §30.  
N. J. 38, 13 Mr
- 2015 Defaulting tenants may be removed [formerly if satisfaction for rent can not be obtained by distress of any goods]; district courts of cities have jurisdiction. Amending '98 ch.228 §107.  
N. J. 39, 13 Mr
- 2016 Defining relations of landlord and tenant; rent for farm land to be lien on crops.  
Okla. 17, 8 Mr
- 2017 When tenant can not be found notice to quit may be served by posting on premises 10 days before bringing action. Amending S. '98 §3358.  
Wis. 26, 2 Mr
- 2018 Trusts—general. (See also Administration, 2113; Guardians, 2163) Trustee's petition for settlement of accounts to contain report of condition of trust estate; on application of guardian of beneficiary of trust court to order trustee to render account unless rendered within 6 months previous. Amending C.C.P. §1699.  
Cal. 42, 26 F
- 2019 Person summoned as trustee entitled to cost of travel and attendance. Adding §91 to R.S. '86.  
Me. 216, 19 Mr
- 2020 On petition of patriotic society, court may dispose of property, dedicated to pious uses and becoming wasted, so as best to serve original, or some public or patriotic purpose, or may convey in trust to patriotic body. Amending '95 ch.81.  
Me. 264, 22 Mr

- 2021 Circuit court may order sale of property held without power of sale *when satisfied that rights will be jeopardized*; petitioner or other person appointed trustee to give bonds. Amending C.L.'97 §9234, 9240. Mich. 55, 9 Ap
- 2022 Judge of probate may require new or additional bond from executor, administrator, guardian or trustee; may remove on failure or neglect to furnish required bond. Amending C.L.'97 §9499. Mich. 69, 18 Ap
- 2023 Majority of trustees may act unless instrument otherwise provides. Amending P.S. ch.198. N. H. 2, 5 F
- 2024 Guardians and trustees may invest funds in certain railroad stocks. N. H. 3, 5 F
- 2025 Regulating investments by fiduciaries. Amending '96 ch.547. N. Y. 166, 22 Mr
- 2026 After 25 years from date of gift or bequest for religious, charitable or educational purposes, supreme court may administer property without regard to directions of donor. Amending '93 ch.701. N. Y. 291, 5 Ap
- 2027 On death of mortgagee or trustee powers to be transferred to personal representative. Amending C.'83 §1276. N. C. 186, 18 F
- 2028 Clerks of superior court may appoint trustees when those named in *will or deed* are incapacitated. Amending C.'83 §1276. N. C. 576, 11 Mr
- 2029 Executor, administrator or guardian need not be resident of state. Amending R.C.'99 §6346. N. D. 78, 12 Mr
- 2030 Regulating trusts arising when land is paid for by one person and legal title taken by another; protecting creditors by requiring record of trust in recorder's office. Pa. 233, 4 Je
- 2031 In cases of devise, legacy, gift or trust to class of beneficiaries whose members are not ascertainable, governor may appoint attorney to act for them. Vt. 134, 21 N 00
- 2032 If at public auction no bid exceeds appraised value, executor, administrator or guardian may sell lands at private sale at price [formerly not less than appraised value] *approved by court*. Amending S.'98 §3913. Wis. 46, 11 Mr
- 2033 When personal estate of deceased is insufficient to pay cost of administration, court may order mortgage or sale of real property; regulations. Amending S.'98 §3874a, 3881. Wis. 112, 30 Mr; 283, 4 My
- 2034 Suretyship. (*See also* Administration, 2113; Surety companies, 4410; index under Bonds) State, county and municipal officers may give bonds guaranteed by corporate surety companies. Amending '89 ch.694 §3. Del. 217, 9 Mr
- 2035 Receivers, guardians and executors may include expense of surety bond, not over 1%, in lawful expenses. Kan. 268, 5 Mr
- 2036 Providing for exception to bond sureties in actions for recovery of personal property in justice's and municipal courts. Minn. 137, 4 Ap

- 2037 Fiduciaries and treasurers may include cost of suretyship as part of lawful expenses; surety to be taken of lowest bidder; rate \$10 a year for bonds under \$1000 and  $\frac{1}{2}\%$  for others. Amending '95 ch.175 §57. Minn. 145, 6 Ap
- 2038 Actions against surety or on bond of county officer to be begun within 6 years. Amending G.S.'94 §5136. Minn. 357, 13 Ap
- 2039 Amending C.C.P. §812, 2000-1 as to form of bonds, affidavit of sureties, approval of judge, release of sureties as to future breaches and release of old sureties on giving of new. N. Y. 524, 24 Ap
- 2040 Surety on official bond may take oath before notary public; other persons authorized to administer oaths. Amending C.'63 §1876. N. C. 32, 26 Ja
- 2041 Bonds to state may be guarantied by indemnity or guaranty company. N. C. 754, 4 Ap
- 2042 Action on bond of officer of borough, city or municipality when surety company is surety thereon may be brought in county of municipality; service of summons on company; mileage. Pa. 82, 2 My
- 2043 Amending '98 ch.76-77, S.'94 §4185 relating to acceptance of foreign surety and fidelity companies as bondsmen. Vt. 58, 27 N 00
- 2044 Surety on county officer's bond to be resident of state; on township or precinct officer's bond, of county; surety companies excepted. Wash. 14, 15 F
- 2045 Fiduciaries may include as lawful expense premium not exceeding  $\frac{1}{3}\%$  a year on bond required for security. W. Va. 18, 12 F
- 2046 Partnership. Regulating withdrawal of general partners; requiring acknowledgment and filing of certificate and affidavit of remaining general partner. Supplementing G.S.'95 p.2437. N. J. 43, 13 Mr
- 2047 Regulating settlements of partnerships by surviving partners; inventories; appraisalment and purchase by surviving partner; final settlements. N. C. 640, 13 Mr

### Insolvency. Assignments

(See also Exemptions, 1923; Corporations, 1114; Partnership, 2046)

- 2048 Promise to pay debt discharged by bankruptcy invalid unless in writing. Ark. 169, 23 My
- 2049 Sale by retail trader of all or large part of stock in trade at 1 transaction to be in writing, acknowledged and recorded within 1 day of sale; otherwise void against creditors. Ct. 161, 17 Je
- 2050 Circuit court appointing receiver for property situated in more than one circuit to have exclusive jurisdiction over property for purposes of suit. Fla. 102, 24 Ap
- 2051 Sale of merchandise in bulk void unless buyer notifies creditors of seller 5 days before sale. Ind. 220, 11 Mr
- 2052 Requiring bankruptcy proceedings to conform to act of congress, 1898, establishing uniform system of bankruptcy. Kan. 65, 20 F



- 2053 Revising law for relief of creditors against absent and absconding debtors. N. J. 74, 20 Mr
- 2054 Court may allow receivers of corporations compensation in fees over \$12,000 annually. Amending '93 ch.378 §2. N. Y. 506, 23 Ap
- 2055 State to be preferred creditor in all contracts. N. D. 200, 5 Mr
- 2056 Seller of stock of goods to give buyer statement under oath of names of creditors 5 days before delivery; buyer to notify creditors 5 days before payment to vendor; failure renders sale void. Amending '99 p.248. Or. p.303, 27 F
- 2057 Amending '01 ch.864 as to proof of claims against insolvent estates by exempting estates when right to declare insolvent has been lost by limitation of time. R. I. 855, 29 Mr
- 2058 Regulating sales in bulk of stocks of merchandise or portion thereof except in ordinary course of trade; detailed inventory to be made; creditors to receive 5 days notice. Tenn. 133, 11 Ap
- 2059 Inventory to be made of stocks of merchandise sold in bulk and 5 days notice of sale given each creditor of seller; penalty \$300. U. 67, 14 Mr
- 2060 Sale of stock of goods void without verified statement of indebtedness of seller and unless buyer pays purchase money on indebtedness. Wash. 109, 16 Mr
- 2061 In voluntary assignment for benefit of creditors, assignee to represent rights of creditors; may bring action to avoid fraudulent conveyances. Adding §1693c-d to S.'98. Wis. 207, 23 Ap
- 2062 Sale of stock of merchandise void if buyer and seller fail to give 5 days notice to seller's creditors. Adding §2317b to S.'98. Wis. 463, 15 My

## Estates of decedents and wards

### Descents. Devises

(See also Inheritance tax, 1653)

- 2063 Devises. Wills. Affidavit of subscribing witness to will before register of probate may be received as evidence sufficient to grant probate of will. Amending P.S.'82 ch.129 §1. Mass. 242, 2 Ap
- 2064 Wills legally executed outside state to be valid if in writing and signed by testator. Minn. 114, 2 Ap
- 2065 Exemplified copy of will to be admitted as evidence when 30 years have elapsed since will was proved. Amending C.C.P. §2632. N. Y. 540, 25 Ap
- 2066 When testator executed will by making mark, handwriting of subscribing witness only need be proved. Amending C.'83 §2148. N. C. 276, 27 F
- 2067 Caveators of wills may prosecute in certain cases without giving bond. Amending C.'83 §2159. N. C. 748, 15 Mr

**Descent. Succession**

- 2068 Order of descent. When personal estate of deceased person exceeds \$300 [formerly \$800] widow and *minor* children may retain \$300 *at appraised valuation* [formerly cash price]. Amending S.'94 §3. Ark. 96, 11 Ap
- 2069 In distribution of intestate estates parents to inherit before brothers and sisters. Ct. 171, 17 Je
- 2070 Inheritance from infants dying without issue, no husband or wife surviving, to descend in order to father, mother, brothers and sisters or their descendants; if none survive, according to general rules prescribed by statute. Amending R.S.'92 §1821. Fla. 86, 22 My
- 2071 Illegitimate child acknowledged by father leaving no legitimate children may inherit father's estate. Ind. 126, 9 Mr
- 2072 Operation of act revising laws of distribution of estates and rights of widows postponed till Jan. 1, 1902. Amending '00 ch.450 § 12. Mass. 461, 5 Je
- 2073 On death of husband or wife leaving child, widow or ~~widower~~ to have same share as child in personal estate of deceased. Amending R.S.'90 §2937. Mo. p.141, 26 Mr
- 2074 Estates not over \$500 [formerly \$150] to go to widow and children; over \$500 [formerly \$150] to be applied to debts of deceased; inheritance of personal property not left by will. Amending C.S.'97 ch.23 §176. Neb. 27, 29 Mr
- 2075 If husband or wife dies intestate, without issue or parent, whole estate to go to surviving husband or wife. Amending '99 ch.95. Nev. 34, 6 Mr
- 2076 Estate of husband or wife dying intestate subsequent to death of his or her wife or husband and without heirs, to vest in heirs of other party. Nev. 89, 20 Mr
- 2077 Regulating descent of property to next of kin of husband or wife of deceased. Amending C.C.P. N. Y. 410, 17 Ap
- 2078 When intestate inherited estate from deceased husband or wife and has left no heirs, property to descend to heirs of deceased husband or wife. Amending '96 ch.547. N. Y. 481, 22 Ap
- 2079 Legitimate and illegitimate children of same mother, dying without children, may inherit real property from one another to exclusion of grandmother of illegitimate. Pa. 258, 10 Je
- 2080 Illegitimate children to be known by name of mother; to inherit to same extent as children of half blood; not to apply to children legitimated by subsequent marriage. Pa. 325, 10 Ji
- 2081 Widow to be allowed *family pictures* and ornaments of deceased husband except those specifically bequeathed, household furniture to \$250 and provisions and fuel on hand. Amending '98 §3935. Wis. 76, 23 Mr
- 2082 Dower and curtesy. When married woman dies intestate without issue *by surviving husband*, husband to be entitled to one half real estate. Amending '73 ch.550 §5. Del. 203, 14 Mr
- 2083 Husband to take under will of wife unless he elects in writing to retain his right to one third of wife's lands; not entitled to both unless will provides. Amending R.S.'81 §2488. Ind. 78, 6 Mr

- 2084** Surviving childless wife of intestate husband leaving children by former wife to take only life estate in one third of lands of husband. Amending '99 ch.99. **Ind.** 240, 11 Mr
- 2085** Property assigned for creditors not to be included in division for dower. Amending '89 ch.46 §64. **Minn.** 33, 11 Mr
- 2086** Action for recovery of estates in dower or by curtesy where property was conveyed prior to Mar. 9, 1875, to be begun before July 1, 1901. **Minn.** 173, 9 Ap
- 2087** Surviving childless husband or wife to inherit one half of estate provided *that if estate is \$1500 or less such share shall be entire estate and in estates \$1500 to \$3000, \$1500*; same provisions for real estate. Amending P.S.'01 ch.195 §10. **N. H.** 113, 22 Mr
- 2088** Husband entitled to fee in one third deceased wife's real estate; right barred by acceptance under will. Amending S.'94 §2542. **Vt.** 39, 17 N 00

**Probate procedure. Administration**

(See also Trusts, 2013)

**Courts. Procedure generally**

- 2089** Courts. Misdemeanor for probate judge or clerk or register in chancery to prepare paper to be heard in probate court. **Ala.** p.186, 4 Mr
- 2090** For making orders and decrees probate and courts of insolvency always to be open; times of hearings discretionary with judge. Amending '95 ch.215 §1. **Mass.** 61, 19 F
- 2091** Register of probate court may approve bonds. Amending P.S.'82 ch.143. **Mass.** 463, 6 Je
- 2092** In counties exceeding 15,000 salary of judge of probate \$1200 [formerly under \$800 and no clerk hire]. **Minn.** 58, 16 Mr
- 2093** Fixing salaries of probate judges. Amending '89 ch.46. **Minn.** 236, 11 Ap
- 2094** Salary of clerk in probate court in county over 200,000, \$1500; additional clerk hire \$3300. Amending '99 ch.188. **Minn.** 260, 11 Ap
- 2095** Probate judge disqualified from acting in case in which he or relatives are interested. Amending G.S.'94 §4412. **Minn.** 331, 13 Ap
- 2096** In counties 150,000 to 225,000 judge of probate may employ stenographer at \$720 per annum. **Minn.** 362, 13 Ap
- 2097** Governor to appoint committee to prepare rules of practice and procedure and blanks for probate courts. **N. H.** 45, 28 F
- 2098** Probate clerk to furnish \$5000 bond approved by district judge; penalty. **N. M.** 35, 16 Mr
- 2099** Reducing fees of clerk of district court in probate cases. Amending R.S.'99 §4539. **Wy.** 13, 9 F
- 2100** **Miscellaneous procedure.** Decree in jury trial relating to lands to be recorded in probate court. Amending C.'96 §812. **Ala.** p.38, 6 D 00
- 2101** Action may be maintained on probate bond where writ is not indorsed. Amending G.S.'88 §899. **Ct.** 163, 17 Je

- 2102 Appeals in forma pauperis permitted in court of ordinary. Amending '97 p.32. Ga. p.55, 15 D 00
- 2103 Amending G.S.'94 §4676 as to appeals from probate court. Minn. 135, 4 Ap
- 2104 Probate court to give hearing and determine heirship to government homesteads. Minn. 275, 13 Ap
- 2105 Amending G.S.'94 §4642 as to record of distribution decree by probate court. Minn. 284, 13 Ap
- 2106 Orphans court may adjourn from day to day without affecting suits; former adjournments valid. Supplementing '98 ch.234 N. J. 108, 21 Mr
- 2107 Parties in probate proceedings may waive in writing service of citation, notice or papers. Amending R.C.'90 §6219. N. D. 60, 6 F
- 2108 Notices by mail in probate practice to contain copy or substance of order of court. Amending R.S.'98 §4033. U. 114, 23 Mr
- 2109 Probate notices to be posted at 3 public places in county, 1 to be courthouse. U. 115, 23 Mr
- 2110 Amending '96 ch.120 as to probate fees for settling accounts of guardians and trustees and for ordering removal of insane paupers. Vt. 107, 22 N 00
- 2111 Contests of wills. Court of record in contest on probate of will may allow attorney's fee to proponent or successful contestant. Adding §4041a to S.'98. Wis. 397, 13 My
- 2112 Foreign wills. Amending S.'94 §2367 as to proof of foreign wills. Vt. 36, 17 N 00

**Administration**

- 2113 Removal from state vacates trust as administrator. Amending '81 ch.45. Ind. 121, 9 Mr
- 2114 Probate judges to certify to township trustees annually lists of persons in charge of estates; fees; trustees to secure list of personal property of each estate and assess same. Kan. 188, 2 Mr
- 2115 Administrators and executors. Repealing S.'94 §37, 3589 forbidding married woman to act as executrix. Ark. 40, 9 Mr
- 2116 Appointment of administrator to fill vacancy. Amending R.S.'99 ch.3 §38. Ill. p.2, 30 Mr
- 2117 In appeals of executor, administrator, guardian or trustee from findings of probate court, judge to require bond covering amount found due. Amending C.L.'97 §670. Mich. 92, 30 Ap
- 2118 If administrator fails to file bond 30 days after notice another may be appointed. Amending G.S.'94 §4482. Minn. 59, 16 Mr
- 2119 Commission allowed on property remaining in hands of executor. Slightly amending '98 ch.234. N. J. 77, 20 Mr
- 2120 Executor of an executor not to administer on estate of first testator; substitute administrator to be appointed by court; administration de bonis non abolished. Supplementing G.S.'95 p.1425. N. J. 145, 22 Mr
- 2121 Amending C.L.'97 §1477 and t.20 relating to estates; special administrator may be appointed; removal of executor; administration

- of partnership estates; claims against executors; final settlement; appeal to district court. Repealing C.L.'97 §1938-39, 1941, 1945-46, 1955, 1961. N. M. 81, 21 Mr
- 2122 When delay occurs in granting letters testamentary, temporary administrator may be appointed. Amending C.C.P. §2670. N. Y. 20, 14 F
- 2123 Temporary administrator appointed when proceeding is pending for probate of will may take possession of real property affected. Amending C.C.P. §2675. N. Y. 21, 14 F
- 2124 Administration of Intestate's estate may be granted to guardian of minor legatee. Amending C.C.P. §2643. N. Y. 141, 21 Mr
- 2125 County courts may administer estates of trifling value. S. D. 123, 7 F
- 2126 Foreign executor or administrator may prosecute and defend actions in state courts under conditions applicable to nonresidents. S. D. 124, 6 Mr
- 2127 Clerk to give notice of hearing on petition for letters of administration by posting [formerly as court may direct] and by mailing to heirs. Amending '99 ch.54. U. 92, 14 Mr
- 2128 Probate bonds to be filed and recorded in probate offices. Vt. 37, 22 N 00
- 2129 Administrator to give bond with *1 or more* [formerly such] sureties as judge of county court approves. Amending S.'98 §3809. Wis. 24, 28 F
- 2130 Sale. Mortgage. Lease. All executors qualifying to join in making contracts or paying funds of estate. Amending C.C.'95 §3317. Ga. p.51, 18 D 00
- 2131 When personal property of decedent's estate is not over \$1000 notice of sale to be as court directs. Amending '81 ch.45. Ind. 33, 28 F
- 2132 Real estate may be sold by executors when heirs refuse to pay taxes. Amending '91 ch.425 §5. Mass. 277, 10 Ap
- 2133 Amending probate code as to assignment of estate; lien of foreign heir. Amending '99 ch.46. Minn. 10, 16 F
- 2134 Amending G.S.'94 §4575-80 as to sales of real estate of deceased persons. Minn. 89, 27 Mr
- 2135 Married woman acting as trustee or executrix of will may sell real estate in accordance with terms thereof and convey without husband's joining in deed. N. J. 69, 20 Mr
- 2136 Married administratrix or executrix may convey lands without joint action of husband or order of court. Supplementing G.S.'95 p.1425 ¶1. N. J. 165, 22 Mr
- 2137 Executor or administrator on order of county court may sell property *when such sale is for best interests of estate*. Amending R.C.'99 §6435. N. D. 79, 15 F
- 2138 Citation to nonresident heirs or devisees in sales of real property by executor may be served by publication *in county chosen by executor*. Amending Hill's Ann. L. §1148. Or. p.398, 28 F
- 2139 County court may direct executor to mortgage property to pay lien or for other purpose; in case of homestead may only extend mortgage or take up existing liens. S. D. 126, 1 Mr

**Estates of decedents and wards**

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**Claims, accounts, settlement.** (*See also* Actions for partition, 2694)

- 2140 Suit against executor not allowed within period for presentation of claims; exception. **Ct. 152, 17 Je**
- 2141 Probate court to settle accounts of trustees distributing estates; may fix compensation; appeal to district court. **Id. p.31, 12 Mr**
- 2142 On order of court amount not over \$100 may be paid to minor heir without appointment of guardian. **Ind. 186, 11 Mr**
- 2143 Before closing estate judge of probate may revive commission on claims for not over 1 [formerly 3] month to examine new claim; costs to be paid by creditor or estate or divided as probate court may direct. Amending C.L.'97 §9373. **Mich. 70, 18 Ap**
- 2144 Notice to creditors to be published at least 6 weeks prior to limit of time for presentation of claims. Amending G.S.'94 §4510. **Minn. 28, 8 Mr**
- 2145 Procedure in settlement of estate when 5 years has elapsed without administration. **Minn. 346, 13 Ap**
- 2146 When claimant fails for 2 years to take out letters of administration on estate of deceased person, claim against estate to be invalid; not to apply to enforcement of lien or actions pending at death of deceased. Amending C.S.'97 ch.23 §226. **Neb. 28, 1 Ap**
- 2147 Prosecution on bond of executors or administrators may be discontinued on petition of surety and evidence that damages have been paid; hearing; reprosecution. Supplementing '98 ch.234. **N. J. 82, 20 Mr**
- 2148 Amending C.C.P. §2711 as to manner of serving notice of appraisal on legatees by executors and administrators. **N. Y. 195, 26 Mr**
- 2149 Funeral expenses preferred claims against estate of deceased; proceedings to compel payment. Amending C.C.P. §2729. **N. Y. 293, 5 Ap**
- 2150 Amending C.C.P. §2727 as to order for executor to account and proceedings therein in surrogate's court. **N. Y. 408, 17 Ap**
- 2151 Amending C.C.P. §2706 as to accounting by executor of deceased executor in surrogate's court. **N. Y. 409, 17 Ap**
- 2152 Procedure for settlement of estates of decedents; accounts of executors and administrators. **N. D. 72, 12 Mr**
- 2153 Notice of appointment of day for hearing objections to final account of administrator to be published 4 successive weeks. Amending Hill's Ann. L. §1173. **Or. p.131, 25 F**
- 2154 Executor may bring suit against coexecutor or administrator. **Pa. 141, 11 My**
- 2155 Amending G.L.'96 ch.215 as to presentation and proof of claims against solvent and insolvent estates and as to appointment of commissioners. **R. I. 864, 29 Mr**
- 2156 Costs of settlement of estates less than \$100 to be one half amount allowed by law. **S. C. 356, 19 F**
- 2157 In settlement of estate, sum not over \$50 [formerly \$25] may be paid by order of court to minor in lieu of guardian. Amending '00 ch.194. **S. C. 369, 20 F**

- 2158** Action against person's executors or administrators to be brought within 2 years from his death. Amending C.L.'87 §4861.  
S. D. 107, 8 Mr
- 2159** Amending C.L.'87 §5908-9 prescribing order of payment of demands against estates of deceased persons. S. D. 125, 5 F
- 2160** Amending R.S.'98 §3948-49 providing for partial distribution of estates of decedents; title to part distributed freed from claims of creditors, debts and expenses of administration.  
U. 139, 26 Mr
- 2161** Deceased person's property held as security may be sold to discharge debt; application of proceeds. Vt. 38, 27 N 00
- 2162** On affidavit of heir or devisee that executor or administrator has failed to render accounts court may order hearing; citation to be served on delinquent executor or administrator. Amending R.S.'99 §4558-59. Wy. 107, 19 F

### Guardianship

(See also Trusts, 2018; Orphans, 4048)

- 2163** County court in counties under 20,000 to have jurisdiction in matters of guardianship of minors, insane or incompetents and in proceedings by executors and guardians for sale of property; salary of judges. Amending '93 ch.64 §2-3. S. D. 104, 8 Mr
- 2164** Appointment. Bonds. Repealing S.'94 §37, 3589 forbidding married woman to act as guardian. Ark. 40, 9 Mr
- 2165** Fathers and mothers constituted joint and equal guardians of children. Ct. 107, 3 Je
- 2166** Amending R.S.'99 ch.64 §4 relating to guardians of minors.  
Ill. p.216, 18 Ap
- 2167** Amending R.S.'83 ch.67 §6 relating to appointment of guardians; if there be no municipal officers judge to name 3 reputable persons of vicinity to make inquisition. Me. 243, 21 Mr
- 2168** Judge of probate court may *after giving due notice* [formerly with or without notice] appoint temporary guardian. Amending '00 ch.345. Mass. 213, 28 Mr
- 2169** Amending '00 ch.345 as to appointment of temporary guardians of minors. Mass. 523, 19 Je
- 2170** Probate judge may authorize administrators and guardians to mortgage real estate of intestates and minors. Amending '95 ch.1. Okl. 1, 8 Mr
- 2171** If father of minor is deceased mother, *married* or *unmarried* [formerly *unmarried*] may be guardian. Amending R.S.'99 §4870. Wy. 84, 19 F
- 2172** Sale, mortgage and lease of property. For support of ward guardian may mortgage estate of minor. Amending C.C.P. §1777. Cal. 67, 28 F
- 2173** Guardian to apply proceeds from mortgage of estate of ward to support of ward and family. Amending C.C.P. §1770. Cal. 68, 28 F

- 2174 When income of minor, lunatic, insane or feeble-minded person is insufficient for support, orphans court may on petition of guardian order use of principal of personal estate. Supplementing G.S.'95 p.1615. N. J. 156, 22 Mr
- 2175 Guardians may lease for 5 years real estate of wards. Minn. 364, 13 Ap
- 2176 Amending '91 ch.83 as to selling and renting property by guardians. N. C. 97, 5 F
- 2177 Orphans court having jurisdiction of accounts of guardians may order mortgage or sale of lands partly in 2 or more counties. Pa. 180, 21 My
- 2178 County court may direct guardian to mortgage property to pay lien or for other purpose; in case of homestead may only extend mortgage or take up existing liens. S. D. 126, 1 Mr
- 2179 Other procedure. Bank account opened by minor to be under his control till guardian is appointed. Minn. 74, 22 Mr
- 2180 Inventories and affidavits and appraisements of personal estates by guardians and curators to be recorded. Amending R.S.'99 §3500. Mo. p.179, 13 Mr
- 2181 Duty of guardian as to removal of property of absent ward. Nev. 45, 12 Mr
- 2182 Guardians may invest funds of ward in county, city, town and levee bonds on which interest is regularly paid; in stock of trust companies having surplus and paying annual dividend of 6%; cost of bond with corporate security to be credited to guardian. Tenn. 146, 18 Ap
- 2183 Guardian unable to invest funds of ward within 30 days to file petition in county circuit court, which may make order as it deems best for ward. Amending C.'99 ch.82 §12. W. Va. 104, 12 F
- 2184 Courts may order purchase of real estate in state for infant or ward; may dispose of real estate of minor or ward. Amending S.'98 §3508a. Wis. 193, 18 Ap
- 2185 Guardians of insane and incompetent. Probate court may appoint and discharge conservators of property of persons mentally incapacitated. Amending '98 ch.527 §1. Mass. 125, 7 Mr
- 2186 Guardian of insane person may waive provisions of will in favor of ward. N. H. 6, 13 F
- 2187 Next of kin, creditor, co-tenant, remainderman, overseer of poor, or charity officer may petition orphans court for guardian of insane person; court may order mortgage, sale or lease of real estate of insane person. Amending '95 ch.220. Pa. 282, 19 Je
- 2188 When husband or wife is *insane* court may on application by affidavit permit other party to control, sell or encumber property of husband or wife for support of family or payment of debts contracted. Amending C.L.'87 §2597. S. D. 137, 5 Mr
- 2189 Guardian of mentally incapable person may be removed at discretion of probate court, or discharged on his own application and certificate of ward's competency, or by judicial inquiry on application of ward. Amending S.'94 §2820-22. Vt. 40, 19 N 00



## Administration of justice

## Practice of law

(See also Attorney general, 3031; Prosecuting attorneys, 2400)

- 2190 Admission to bar. Graduates of law department of John B. Stetson university admitted to bar without examination. Fla. 125, 23 Ap
- 2191 Submitting constitutional amendment authorizing legislature to prescribe qualifications for admission to bar. Ind. 259, 22 F 99. *Rejected.* Received majority vote in November 1900 but not majority of total vote cast for governor. In re Denny 59 N. E. 359.
- 2192 Board of law examiners may prosecute attorneys before supreme court. Minn. 62, 16 Mr
- 2193 Qualifications of law colleges necessary to entitle graduates to admission to bar without examination; privilege may be revoked by supreme court. Minn. 100, 28 Mr
- 2194 No person or copartnership not admitted to bar to give legal advice for pay. Amending '91 ch.36 §8. Minn. 282, 13 Ap
- 2195 Graduates of law department of University of North Dakota to be admitted to bar without examination. N. D. 23, 13 Mr
- 2196 Supreme court may disbar person who would be ineligible if applying for admission. Or. p.67, 23 F
- 2197 Amending '93 ch.21 providing for admission of attorneys to practice; 3 year law course required either in law office or reputable law school; members of bar from other states admitted on proof of similar qualifications; mode of examination; regulations; proceedings to suspend attorney. S. D. 60, 8 Mr
- 2198 Unsuccessful candidates for license to practise law may take next succeeding examination. Amending '96 ch.41. Va. 321, 16 F
- 2199 Amending C.'99 ch.119 §1-2 relating to license to practise law; applicant for examination to pay \$5 to cover costs; license granted by another state not valid if applied for at time applicant resided or intended to reside in this state. W. Va. 62, 20 F
- 2200 Miscellaneous. Misdemeanor to encourage litigation. Ala. p.179, 4 Mr
- 2201 Superior court may reinstate suspended attorney. Ct. 139, 11 Je
- 2202 Prohibiting attorneys at law from becoming sureties on official bonds. Fla. 16, 28 My
- 2203 Judges and prosecuting attorneys not to form partnerships; attorney not to practise before court if partner of judge. Fla. 17, 22 My
- 2204 Obligation to pay attorney's fees in note void unless *debtor receives 10 days notice of suit and fails to pay before return day of court* [formerly unless plea be filed and not sustained]. Amending C.C.'95 §3667. Ga. p.53, 12 D 00

- 2205 Compensation of attorney governed by agreement unrestrained by law; attorney's lien on client's cause unaffected by settlement between parties. **Mo.** p.46, 25 F
- 2206 County judges not to recognize as entitled to practise in county courts any attorney connected in business with judges [formerly as law partner]. Amending R.C.'99 §6172. **N. D.** 56, 20 F
- 2207 Attorneys not to be surety in civil or criminal action. **Okl.** 6, 5 Mr
- 2208 Barratry for attorneys to solicit employment or advance money or other valuable thing to procure employment; maximum penalty \$500 and 3 months imprisonment. Amending Pen.C.'95 §290. **Tex.** 57, 10 Ap

### Courts

(Procedure even though peculiar to special courts is given according to its subject-matter in civil and criminal procedure. Names and general organizations of courts vary greatly in different states. Courts are here grouped according to actual jurisdiction. The precise names of the courts are preserved in entries and subordinate headings)

- 2209 General. Subm'tting constitutional amendment fixing term, duties, qualifications and election of district attorney and county judge. *Vote November 1902.* **Col.** 49, 25 Mr
- 2210 Judgments, decrees and orders of disqualified judges to be void when disqualifications appear of record in cause; otherwise not subject to collateral attack. Amending R.S.'92 §970. **Fla.** 18, 30 My
- 2211 Submitting constitutional amendment; judges of supreme and district courts and chancellor of chancery court to be elected [formerly appointed by governor and senate]; term of supreme court judges 8 [formerly 9] years. *Adopted November 1899. Miss.* 83, 29 Ja 98. *Unconstitutional.* 4 amendments submitted as 1. *State v. Powell,* 27 S. 927.
- 2212 Creating 2 courts each with 1 chief and 4 associate justices; supreme court with powers of old supreme court at law terms; superior court with powers at trial terms; referee provisions repealed; general regulations. **N. H.** 78, 29 Mr
- 2213 Increase of compensation to judges allowed. Amending C.O.P. §1151. **N. Y.** 299, 8 Ap
- 2214 Judge incapacitated by disability to be examined by commission of 3 physicians appointed by governor; if found permanently incapacitated, to receive half pay during remainder of term if he resigns within 30 days. **Pa.** 131, 11 My
- 2215 Changing time of electing supreme and circuit judges from November of odd years to general election in November in even years. **S. D.** 118, 8 Mr
- 2216 Referring to next legislature constitutional amendment empowering general assembly to establish necessary inferior courts. **Tenn.** 80, 22 Ap
- 2217 Amending '01 ch.138 as to beginning of increase in salaries of supreme and circuit court judges. **Wis.** 414, 14 My

**Supreme courts.<sup>1</sup> Appellate courts**

- 2218 General. Jurisdiction and organization.** Supreme court justices not to participate in decision of causes tried before them as judges or chancellors of lower courts. **Ala.** p.159, 2 Mr
- 2219** Fixing salaries of supreme court officers. Amending P.C. §739. **Cal.** 100, 9 Mr
- 2220** Supreme court to appoint 5 commissioners to assist judges; term 2 years; salary same as judge's; court to appoint secretary at \$2400 salary. **Cal.** 113, 12 Mr
- 2221** Annual salaries of chancellor and of chief justice \$4500 [formerly \$3000] each; of associate judges \$4000 [formerly \$2700]. Amending '85 ch.434. **Del.** 71, 8 Mr
- 2222** Supreme court may appoint 3 commissioners to assist; term 4 years; salary \$3000. **Fla.** 21, 8 My
- 2223** Submitting constitutional amendment providing for 2 divisions of supreme court and increase in number of justices from 3 to 6. *Vote October 1902.* **Fla.** p.360, 30 My
- 2224** Appellate court to consist of 6 [formerly 5] judges; to sit in 2 divisions; defining jurisdiction of appellate and supreme courts; manner of taking appeals. **Ind.** 247, 12 Mr
- 2225** Supreme court may order cases transferred to it from appellate court. **Ind.** 259, 13 Mr
- 2226** Submitting constitutional amendment fixing number of supreme court judges at *not under 5 nor over 11* [formerly 3 to 5]. **Ind.** 260, 28 F 99. *Rejected. Received majority vote in November 1900 but not majority of total vote cast for governor. In re Denny 59 N. E. 359.*
- 2227** 4 additional justices and 4 additional stenographers to be appointed for supreme court; salaries. **Kan.** 58, 2 Mr
- 2228** Defining jurisdiction of supreme court in appeals and proceedings in error; no jurisdiction less than \$100. **Kan.** 278, 5 Mr
- 2229** Court of appeals judges to employ clerical assistance not over \$6000. **Ky.** 1, 5 O 00
- 2230** Annual salaries of supreme judicial court justices \$4000. **Me.** 226, 20 Mr
- 2231** Fixing terms of supreme court sitting as court of law. Amending R.S.'83 ch.77. **Me.** 246, 21 Mr
- 2232** To relieve supreme court, St Louis and Kansas City courts of appeals to have jurisdiction in cases under \$4500. Adding §1649a to R.S.'99. **Mo.** p.107, 20 Mr
- 2233** Supreme court may appoint 9 commissioners of court and necessary stenographers; term 2 years; salary of commissioner \$2500, stenographer \$1000; court to prescribe duties. **Neb.** 25, 19 Mr

<sup>1</sup>Including only those highest in state, of whatever name, e. g. court of appeals but not supreme court of New York. In New York, New Jersey and elsewhere the supreme court is a district court and is classed below others. The court of appeals in New York, New Jersey, Kentucky and Maryland is the highest court but in Colorado, Kansas, Missouri and Texas it is subordinate to the supreme court.

- 2234 Chancellor may appoint 2 vice-chancellors who have had 10 years experience as attorneys; to be commissioned by governor; term 7 years. Supplementing G.S.'95 p.373. N. J. 52, 19 Mr
- 2235 Defining exclusive jurisdiction of supreme court; selection, powers and compensation of referee. N. M. 82, 21 Mr
- 2236 Supreme court justices before drawing salary to file written statement that they have had no case under advisement more than 6 months when acting as district court judges. N. M. 91, 21 Mr
- 2237 \$2500 annually for expenses of supreme court justice designated as presiding or associate justice of appellate division. Amending '96 ch.390. N. Y. 468, 22 Ap
- 2238 Supreme court to meet *1st Monday in October* [formerly 4th Monday in August]. Amending C.'83 §853. N. C. 660, 13 Mr
- 2239 \$2500 annually for supreme court justices for clerk hire. Amending '91 ch.115. Pa. 219, 1 Je
- 2240 Referring to next legislature constitutional amendment providing that supreme court shall consist of chief justice and 2 to 3 associates; jurisdiction and manner of exercise to be prescribed by law; legislature may provide appellate and 1 or more trial divisions of supreme court. B. I. p.263, 29 Mr
- 2241 Courts of civil appeals need not state evidence in conclusions of fact and law unless necessary to determine correctness of ruling; either party may ask for farther conclusions of fact upon points indicated; on refusal may apply to supreme court for writ of error. Amending R.S.'95 §1039. Tex. 52, 10 Ap
- 2242 Governor to appoint from each of 2 dominant political parties 1 additional supreme court judge to serve till 1st Tuesday after 1st Monday in October 1902; after that court to consist of 5 instead of 7 judges. Wash. 168, 18 Mr
- 2243 Submitting constitutional amendment increasing number of justices of supreme court of appeals from 4 to 5. *Vote November 1902.* W. Va. 153, 22 F
- 2244 Supreme court justices to receive \$6000 [formerly \$5000] salary; circuit court judges \$4000 [formerly \$3600]. Amending S.'98 §170. Wis. 138, 2 Ap
- 2245 Referring to next legislature constitutional amendment fixing number of supreme court justices at 7 [formerly 5]; only 1 to be elected any year. Wis. j. r. 8
- 2246 **Reports. Reporter.** State to buy and distribute 200 copies of Mayfield's Digest of Alabama reports at \$50 a set. Ala. p.40, 7 D 00
- 2247 Reporter of judicial decisions to file opinion of supreme court of errors with clerk of original court within 2 weeks; reporter to receive no fees, but clerical expenses of office to \$1000 paid by state. Amending '95 ch.194. Ct. 88, 29 My
- 2248 Copies of reports of judicial decisions to be given to superior court judges. Amending G.S.'88 §334. Ct. 172, 17 Je
- 2249 Board of state institutions to have reprinted and delivered to supreme court librarian 400 copies of certain supreme court reports; sale and distribution. Fla. 19, 22 My

- 2250 Supreme court clerk to supply public officers volumes to complete sets of supreme court reports; to remain property of state.  
Fla. 20, 28 My
- 2251 Supreme court clerk to report decisions; procedure; to let contracts for printing; contractor's bond \$1000; \$5000.  
Id. p.9, 12 F
- 2252 Reports of supreme court and courts of appeals formerly used by courts of appeals to be removed to probate courts in counties where courts of appeals have held sessions.  
Kan. 170, 1 Mr
- 2253 1000 [formerly 2000] copies of each volume of supreme court reports to be published. Amending '89 ch.247 §1.  
Kan. 171, 2 Mr
- 2254 Any justice of supreme judicial court may appoint stenographer to report proceedings, salary \$1500 a year; to furnish copy of proceedings to either party to trial at 10c for each 100 words. Amending R.S.'83 ch.82 §145.  
Me. 228, 20 Mr
- 2255 Supreme judicial court reporter to make reports and furnish copies at \$1.75 a volume; salary \$2500 [formerly \$500 and profits from publication]. Repealing R.S.'83 ch.77 §60-61, ch.115 §1.  
Me. 256, 21 Mr
- 2256 Minnesota reports to give for each case and opinion, book and page of Northwestern reporter where reported. Amending G.S.'94 §2279.  
Minn. 3, 9 F
- 2257 Supreme court reporter to publish opinions in volumes of not less than 900 [formerly 600] pages; 5 copies to be given to state university law library; remainder after distribution to be sold at \$1.25 [formerly \$2.50] a volume; state auditor to pay \$1 [formerly \$1.25] a volume for 500 volumes later editions. Amending C.S.'97 ch.19 §19-21.  
Neb. 24, 21 Mr
- 2258 Secretary of state to distribute supreme court reports and compiled and session laws to county and township officers; regulations.  
Nev. 104, 21 Mr
- 2259 Supreme court reporter to receive \$500 a volume of 700p. Amending '91 p.166.  
Or. p.119, 25 F
- 2260 Not over 600 [formerly under 800] copies of supreme court reports to be printed; state printer to receive \$3 [formerly \$2.50] a copy; secretary of state to sell to public at \$3.50 a copy; earlier volumes \$3. Amending '99 p.233.  
Or. p.270, 27 F
- 2261 Amending G.L.'96 ch.16 §11 as to distribution of state reports.  
R. I. 852, §1, 29 Mr
- 2262 Joint committee of general assembly to contract for biennial publication of supreme court reports; salary of reporter \$1300 [formerly \$900]. Amending '96 ch.3 §9.  
S. C. 357, 21 F
- 2263 State printing board to provide for printing laws and court reports at not over \$2 a volume.  
Tex. p.328, 26 Ap
- 2264 Governor to appoint 2 persons to constitute, with state librarian, committee to provide for compilation at state expense of digest of supreme court reports; 400 copies to be delivered to state librarian for distribution.  
Vt. 115, 26 N 00

- 2265** Commencing 1902 [formerly 1901] commissioners of public printing to advertise for bids for printing, publishing and selling supreme court reports for term of 8 years. Amending S.'98 §347b. **Wis. 118, 30 Mr**
- 2266** \$1200 for 100 sets of annotations to supreme court reports for use of state and counties. **Wis. 224, 26 Ap**
- 2267** Proofreader for supreme court reporter to receive \$125 [formerly \$100] a month. Amending S.'98 §346. **Wis. 226, 26 Ap**
- 2268** Supreme court reporter to receive 1 copy of session laws, supreme court reports and blue book. Amending S.'98 §121, 355, 357. **Wis. 334, 8 My**

**Intermediate courts**

- 2269** Circuit courts. Circuit court judge to appoint court commissioner on application of two thirds of practising attorneys of county. Amending R.S.'92 §1565. **Fla. 24, 31 My**
- 2270** Submitting constitutional amendment providing for 8 [formerly 7] circuit judges. *Vote October 1902.* **Fla. p.361, 31 My**
- 2271** Submitting constitutional amendment permitting additional circuit judges in circuit containing county of St Clair. *Vote April 1901. Rejected.* **Mich. p.379, 20 F**
- 2272** \$3 docket fee in circuits of 1 county having 2 judges and no criminal court. **Mo. p.115, 19 Mr**
- 2273** Circuit courts of counties over 50,000 may appoint 8 [formerly 4] commissioners in chancery. Amending C.'99 ch.129 §1. **W. Va. 37, 11 F**
- 2274** District courts. District court judge to be nominated by governor and nomination approved as in case of judge of superior court. **Ct. 133, 11 Je**
- 2275** District court may order testimony taken outside. **Id. p.132, 11 Mr**
- 2276** Amending G.S.'89 §1065 as to cases in which judge pro tem of district court may be selected. **Kan. 151, 5 Mr**
- 2277** Salaries of district court judges where district is county over 65,000, \$3000. **Kan. 193, 26 F**
- 2278** Salaries of district judges to be paid on last day of month. Amending P.C. §1133. **Mon. p.114, 9 Mr**
- 2279** District judge within 10 days after Dec. [formerly Jan.] 1 to designate times for courts during coming year; notice to be printed in newspaper for 3 [formerly 4] weeks; *special terms may be called.* Amending C.C.P. §38. **Mon. p.156, 7 Mr**
- 2280** Fixing salaries of district court judges and clerks in cities. Amending '00 ch.110. **N. J. 26, 7 Mr**
- 2281** Dividing state into judicial districts and fixing time for holding courts. 16p. **N. C. 28, 14 Mr**
- 2282** Supplementing and amending act for dividing state into judicial districts and holding courts. **N. C. 29, 14 Mr**
- 2283** Governor to appoint district court judges and solicitors. **N. C. 30, 4 Ap**
- 2284** Increasing judicial districts, judges and solicitors to 16; abolishing criminal courts and circuits. **N. C. 31, 18 F**

- 2285** Dividing state into judicial districts and providing for election of judges in districts of 2 or more counties. Pa. 339, 18 J1
- 2286** District court justices to be elected by assembly triennially at January session; term to begin Feb. 1. Amending G.L.'96 ch.228 §3-4. R. I. 809 §43, 29 Ja
- 2287** Creating special term of office for district court justices and clerks from July 1, 1901, to Jan. 31, 1902; election; salaries. R. I. 809 §59, 29 Ja
- 2288** District court judges may make orders in vacation, at chambers, or in other counties and districts than where action may be pending. Wy. 27, 13 F
- 2289** Superior court. Superior court to consist of 14 [formerly 13] judges. Amending '89 ch.194 §1. Ct. 77, 29 My
- 2290** Partition proceedings may be begun before superior court *at term time or judges at chambers*. Amending C.C.'95 §4786. Ga. p.56, 18 D 00
- 2291** Extra terms superior court to be held without extra compensation except actual expenses. Amending C. ch.23 §914. N. C. 167, 18 F
- 2292** Increasing superior court judges and judicial districts to 16 [formerly 15]. N. C. 244, 22 F
- 2293** Superior court judge may order sheriff to adjourn court to designated day. Amending C.'83 §926. N. C. 269, 27 F
- 2294** When 4 or more superior court judges are to be elected for same term, and *after 1909 when 2 or more judges are to be elected*, elector may vote for number to be chosen less 1. Amending '99 ch.144. Pa. 194, 24 My
- 2295** Defining powers of superior court judges. Wash. 57, 7 Mr
- 2296** Supreme court. Referring to next legislature constitutional amendment providing 4 additional elective supreme court justices in 1st, and 3 in 2d judicial districts. *Not repassed by legislature of 1901*. N. Y. p.1645, 6 Ap 00
- 2297** Referring to next legislature constitutional amendment providing for election of 2 additional supreme court justices in 2d district. N. Y. p.1806, 22 Ap
- 2298** County courts. County courts have jurisdiction in suits for recovery of personalty under \$500. Amending C.C.'95 §4193. Ga. p.54, 13 D 00
- 2299** In counties over 60,000 county judge to receive fees not over \$2500; in counties over 25,000 to have clerks or assistants. Amending C.S.'81 ch.28 §42. Neb. 35, 27 Mr
- 2300** 3 general terms of court of quarter sessions and as many special terms as court may appoint to be held annually in each county; adjournments. Supplementing '98 ch.237. N. J. 194, 22 Mr
- 2301** Amending Hill's Ann. L. §2335 relating to times of holding county courts. Or. p.75, 23 F
- 2302** County court in counties of over 153,000 may appropriate not over \$1000 for additional salaries for county or county circuit court judges. Tenn. 140, '8 Ap

- 2303 Governor to appoint special county judge in condemnation proceedings when county judge is disqualified; parties may select judge. **Tex.** 17, 7 Mr
- 2304 When exceptions are filed in cause or *proceeding civil or criminal* in county court, proceeding may be passed on to supreme court for hearing on exceptions. Amending S.'94 §1629. **Vt.** 35, 21 N 00
- 2305 Circuit court judge may appoint commission of 3 persons to audit accounts and transactions of county courts; may also appoint committee on petition of 25 citizens. **W. Va.** 28, 20 F
- 2306 County judges to file with secretary of state official signature and impression of court seal. **Wis.** 31, 8 Mr
- 2307 County judges may perform official duties including holding court in any county of state; when acting in other than county for which elected to receive actual expenses from county in which acting. Amending S.'98 §2450. **Wis.** 134, 1 Ap
- 2308 Common pleas. Court of common pleas judge on written application of either party before date of trial, to call in competent person as official stenographer; oath and powers; compensation same as superior court stenographer. Amending G.S.'88 §737-39. **Ct.** 79, 29 My
- 2309 Court of common pleas judge to be nominated by governor and nomination approved as in case of superior court judge. **Ct.** 133, 11 Je
- 2310 Salaries of courts of common pleas judges \$3000. **Kan.** 193, 26 F
- 2311 3 terms of court of common pleas to be held in each county. Supplementing '00 ch.140. **N. J.** 195, 22 Mr
- 2312 In counties with more than 1 court of common pleas judges to be board to adopt uniform rules of practice and procedure. **Pa.** 187, 21 My
- 2313 Courts of common pleas to have jurisdiction in cases in which state is party. **Pa.** 321, 10 JI
- 2314 Justices of the peace. Regulating jurisdiction and salaries of justices of peace in cities and townships. Amending C.C.P. §103. **Cal.** 86, 7 Mr
- 2315 Justices of peace to serve 4 [formerly 2] years from noon of 1st Monday after Jan. 1 after election. Amending C.C.P. §110. **Cal.** 203, 23 Mr
- 2316 Freeholders superintending election of justices of peace to be appointed by ordinary of county; in case of failure to act other freeholders to be appointed. Amending C.'95 v.1 §102. **Ga.** p.39, 23 N 00
- 2317 Magistrate entitled to 75c for entry and 25c [formerly \$1] for entering default. Amending '87 ch.137 §23. **Me.** 221, 19 Mr
- 2318 Magistrates to have jurisdiction of breaches of peace, violations of law and of attempts to commit offences under their jurisdiction. Amending R.S.'83 ch.132 §4. **Me.** 235, 21 Mr
- 2319 County to pay \$10 a month office rent of trial justice. Amending '98 ch.555. **Mass.** 246, 4 Ap



- 2320 Justice's fee for entering proceedings 15c a folio, for entering motion, objection or exception 15c. Amending G.S.'94 §5558. Minn. 273, 13 Ap
- 2321 Justice of peace not to issue process except execution to be served in cities of 200,000 having municipal courts. Minn. 345, 13 Ap
- 2322 Justices of peace in cities of 15,000 to 35,000 to receive \$75 [formerly \$50] a month; no salaried city or township officer to receive fees from state or county for services in criminal trials. Amending R.S.'99 §3261. Mo. p.174, 26 Mr
- 2323 In township containing city of 100,000 to 300,000 with salaried justices of peace every recognizable action except attachment to be brought before resident justice. Adding §3843 to R.S.'99. Mo. p.193, 12 Mr
- 2324 Justices of peace to give \$2000 bonds. Mon. p.90, 19 F
- 2325 Justices of peace in townships under 10,000 to receive fees; from 10,000 to 20,000, \$1800 and no fees; over 20,000, \$2400 and no fees; office hours; not to practise law or act as collecting agent. Mon. p.91, 22 Mr
- 2326 Justice's fee for amending lien claim reduced from \$5 to 50c. Amending '98 ch.226. N. J. 159, 22 Mr
- 2327 Town boards in counties adjoining or containing city of 510,000 may lease buildings for courts of justices of peace. Amending '00 ch.234. N. Y. 256, 4 Ap
- 2328 Amending '90 ch.569 §58 as to oaths of justices of peace. N. Y. 398, 17 Ap
- 2329 Amending '90 ch.569 §14, 83 as to election and terms of justices of peace in cities of 300,000 to 400,000 and duties of town clerk. N. Y. 488, 22 Ap
- 2330 Justices of peace to qualify within 30 days after appointment or office to be vacant; list of justices to be sent to secretary of state; vacancies to be filled by governor. Amending C.'83 §821. N. C. 37, 29 Ja
- 2331 In counties of 80,000 action in justice's court to be begun in district where defendant resides. Amending Hill's Ann. L. § 910. Or. p.295, 27 F
- 2332 Amending '00 ch.183 as to appointment and duties of magistrates. S. C. 391, 21 F
- 2333 In cities of 20,000 justices of peace to have jurisdiction in civil cases under \$10; no criminal jurisdiction. U. 106, 22 Mr
- 2334 Abolishing office of justice of peace in cities over 15,000. Amending '99 ch.24. U. 108, 22 Mr
- 2335 In cities of 1st class none but attorneys or parties to action to conduct suit before justice of peace. Amending R.S.'98 §3678. U. 110, 22 Mr
- 2336 Civil actions before justice of peace in city or town of 3000 to be brought in precinct where defendant resides; civil jurisdiction of justices of peace to be coextensive with limits of county. Amending '99 ch.40. Wash. 65, 8 Mr

- 2337** Within 10 days after filing justice's bond circuit court clerk to send copy to clerk of town where justice was elected. Amending S.'98 §846. **Wis. 78, 23 Mr**
- 2338** Municipal and police courts. Fees of recorder's court judge in cities not to be charge against county in any criminal case. Amending '83 ch.7 §883. **Cal. 107, 12 Mr**
- 2339** Establishing police courts in cities 30,000 to 100,000; jurisdiction; clerks; prosecuting attorney to be appointed by district attorney of county. **Cal. 182, 23 Mr**
- 2340** Defining county in which police magistrate is to exercise jurisdiction. **Ill. p.99, 14 My**
- 2341** Revising law of courts of record in cities; salaries of judges \$500 to \$3000. **Ill. p.136, 10 My**
- 2342** Judges and juries of city courts may impose \$500 fine or 6 months imprisonment. **Ind. 144, 9 Mr**
- 2343** Police judge to be elected at each general city election of cities of 15,000 to 30,000. **Kan. 109, 5 Mr**
- 2344** Police judges in cities not over 2000 to have power to enforce obedience to orders, *writs*, rules and judgments; to fine or imprison or both for contempt; *jurisdiction to be coextensive with county in which city is situated*. Amending G.S.'97 ch.38 §97. **Kan. 115, 5 Mr**
- 2345** Municipal and police courts to have jurisdiction in civil matters when defendant lives in county or in case of personal service or attachment in county. Amending '99 ch.66. **Me. 262, 22 Mr**
- 2346** In cities under 12,000 police justice to be appointed by mayor [formerly by council]. Amending '99 ch.52. **N. J. 118, 22 Mr**
- 2347** Police justice may appoint police court attendant. Amending '98 ch.182. **N. Y. 604, 27 Ap**
- 2348** Creating city courts in cities of 20,000 and regulating practice; judges to be elected for 4 years; salary \$2500. **U. 109, 22 Mr**
- 2349** Creating municipal courts in cities of 15,000 to 40,000 and regulating practice; judge to be elected for 2 years; salary \$1500; clerk appointed by judge; salary \$900. **U. 112, 14 Mr**
- 2350** In cities under 10,000 incorporated by special charter mayor and council may appoint 2 police justices and fix term of office by ordinance. **Wy. 84, 19 F**
- 2351** Establishing municipal courts in cities and towns; mayor and council to appoint police justices from justices of peace; number to be fixed by ordinance; term and compensation same as justices of peace. **Wy. 101, 19 F**

### Court officers

- 2352** Fees—general. Justices and notaries to receive 50c fee for issuing writ of detinnee. **Ala. p.42, 8 D 00**
- 2353** No police officer to receive fees in action brought in name of state. **Minn. 183, 9 Ap**
- 2354** Amending R.C.'99 §2084 relating to fees for transportation of prisoners and patients. **N. D. 196, 5 Mr**

- 2355 Amending G.L.'96 ch.295 §12 as to fees of sheriffs, deputy sheriffs, town sergeants and constables. R. I. 631, 21 Mr
- 2356 Regulating fees of sheriffs and constables. Amending '97 ch.5 §4. Tex. 119, 18 Ap
- 2357 Peace officers—general. Peace officer may arrest without warrant person violating penal laws or whom he believes to be felon; any one may arrest person committing felony or breaking peace. Fla. 41, 10 My
- 2358 Constable or city marshal to have no authority beyond his town or city except to retake prisoner, *take person before court or trial justice, or execute mittimus*. Amending R.S.'83 ch.80 §54. Me. 238, 21 Mr
- 2359 Policemen may perform duties of high constable and receive compensation. Pa. 197, 24 My
- 2360 Policemen and constables of townships with population of 300 a square mile may arrest without warrant; procedure in actions for violation of township ordinances. Pa. 260, 10 Je
- 2361 Amending '98 ch.497 as to officers of peace in industrial communities; requiring bond and declaring liability. S. C. 392, 8 F
- 2362 Sheriffs. Deputy sheriffs in counties of 24,000 to receive \$2 a day for attendance on courts or elections; judge to determine number necessary. Ga. p.81, 19 D 00
- 2363 When prisoner is taken from sheriff and lynched office of sheriff becomes vacant; coroner succeeds as sheriff; after hearing and investigation governor may reinstate former sheriff. Amending '99 ch.218. Ind. 140, 9 Mr
- 2364 Fixing salaries of sheriff, deputy and sheriff's employees in counties of 60,000 to 150,000. Minn. 68, 22 Mr
- 2365 In counties under 20,000 sheriff may perform duties of jailer and be allowed compensation by district judge. Amending G.S.'94 §7425. Minn. 363, 13 Ap
- 2366 Amending R.S.'99 §3245 as to sheriffs' fees. Mo. p.171, 25 Mr
- 2367 Board of county commissioners [formerly county sheriff] to determine number of special deputy sheriffs. Amending '73 ch.121. Nev. 54, 14 Mr
- 2368 Sheriffs' fees for court attendance to be audited by presiding justice. Amending P.S.'01 ch.287 §16. N. H. 80, 21 Mr
- 2369 Deputy sheriffs to be legally qualified voters of territory; additional fees prohibited; restrictions on appointment of deputies removed. Amending C.L.'97 §738. N. M. 5, 18 F
- 2370 Fixing sheriffs' fees and providing for collection. Pa. 336, 11 J1
- 2371 County board may fix salary of sheriff, undersheriff and deputies and abolish fees. Wis. 217, 26 Ap
- 2372 Bailiffs. Bailiffs to receive \$2 [formerly \$1.50] a day while attending circuit, city, criminal or probate court. Amending C.'96 §4571. Ala. p.82, 13 D 00
- 2373 Sheriff of Ormsby county to act as supreme court bailiff. Nev. 90, 20 Mr

- 2374 Constables. Constable may serve process in any district in county *provided process issues from court of which he is an officer*. Amending R.S.'92 §1259. Fla. 105, 30 Ap
- 2375 Repealing R.S.'83 ch.27 §62 providing that governor may appoint state constables to enforce laws on nuisances and intoxicating liquors. Me. 265, 22 Mr
- 2376 Constables in cities of 15,000 to 35,000 to receive \$75 [formerly \$50] a month; may appoint 1 deputy at \$50; no fees from state or county for salaried officers of city court. Amending R.S.'99 §3253. Mo. p.172, 26 Mr
- 2377 Constables to give \$2000 bonds. Mon. p.90, 19 F
- 2378 Constable's fee for summoning jury in counties of 200,000 to 300,000, \$3; no millage. Amending '97 ch.346. N. Y. 377, 17 Ap
- 2379 In cities under 10,000 constables to be elected by people. Amending S.'98 §925—23-25. Wis. 60, 21 Mr
- 2380 Clerks of courts. Clerk of supreme court empowered to administer oaths and affidavits in all cases, take acknowledgments, and attest deeds and mortgages [formerly such oaths and affidavits as business of court or law require]. Amending C.C.'95 §5510. Ga. p.55, 15 D 00
- 2381 Fees of clerks of circuit and probate courts in counties under 100,000. Amending '95 p.175. Ill. p.208, 10 My
- 2382 Fees of clerks of district courts in counties of 50,000 to 100,000. Amending '95 ch.296. Minn. 248, 11 Ap
- 2383 In counties over 28,000 clerks of district courts, paid under \$800 and required to pay over fees to county, hereafter to retain fees if under \$800, in lieu of salary. Minn. 328, 13 Ap
- 2384 Clerk of district court to send to supreme court list of criminal cases in which appeal has been allowed; details required; penalty. N. M. 30, 16 Mr
- 2385 Amending session laws '99 ch.64 §5 prescribing fees of clerks of district courts. N. D. 92, 12 Mr
- 2386 Amending C.C.P.'93 §355 as to powers of clerk to take justification of surety. S. C. 393, 19 F
- 2387 Clerk of circuit court may open and adjourn court from day to day during term appointed by law. Amending C.'96 §6058. Tenn. 16, 20 Mr
- 2388 Fixing fees of clerk of supreme court. Tenn. 75, 22 Ap
- 2389 Regulating fees of clerks of district courts in civil cases. Tex. 21, 12 Mr
- 2390 Deputy clerk of supreme court to appoint [formerly employ] assistants. Amending R.S.'98 §666. U. 34, 13 Mr
- 2391 County board may fix salary of clerk of circuit court and assistants; fees to be paid to treasurer. Wis. 411, 14 My
- 2392 Amending R.S.'99 §3419 as to fees of clerk of district court in civil cases. Wy. 19, 11 F
- 2393 Salaries of clerks of district courts in counties over \$5,000,000 valuation to be paid monthly [formerly quarterly]. Amending R.S.'99 §3417. Wy. 76, 18 F

- 2394 Stenographers.** Official shorthand reporter to prepare transcript of evidence and file with clerk of court; judge to certify that it is correct and contains all evidence. Ind. 169, 3 Mr 99. *Partly unconstitutional.* Undue encroachment on judiciary, since judge must accept as true reporter's transcript. *Adams v. State*, 59 N. E. 24.
- 2395** Clerks of district courts to make certified reports of stenographers' fees to state auditor quarterly when fees are remitted to treasurer. Kan. 131, 5 Mr
- 2396** Supreme court judges to have stenographers at state expense. Minn. 190, 9 Ap
- 2397** Salary of district court stenographer \$7 a day; paid from court fund. N. M. 97, 21 Mr
- 2398** Supreme court justice may fix salary of stenographer; one third to be paid by state. Supplementing '00 ch.149. N. J. 81, 20 Mr
- 2399** Supreme court to appoint stenographer at \$900 a year. Amending R.S.'98 §668. U. 34, 13 Mr
- 2400** County attorney. County attorney in counties of not less than 50,000 to appoint stenographer; duties; compensation. Kan. 134, 26 F
- 2401** Amending '99 ch.141 §7 as to salaries of county attorneys and assistants. Kan. 189, 5 Mr
- 2402** Fixing salaries of county attorney in counties of 75,000 to 100,000. Minn. 4, 9 F
- 2403** County attorney in counties 100,000 to 185,000 allowed \$1500 [formerly \$1200] for clerk hire. Amending '99 ch.81 §1. Minn. 375, 13 Ap
- 2404** Courts in counties of 100,000 [formerly 75,000] may appoint county counsellor for 2 years; office abolished in counties under 100,000. Amending R.S.'99 §4987. Mo. p.49, 23 Mr
- 2405** Counties of \$15,000,000 assessed valuation may have 2 assistant county attorneys at \$1800 and 1 deputy attorney at \$1500; appointed by county attorney; salary fixed by county commissioners. Mon. p.96, 4 Mr
- 2406** In 1902 and biennially thereafter county board to appoint county attorney in county under 3000; salaries of county attorneys; attorneys engaged out of own counties to have travelling and living expenses in addition to salary. Amending C.S.'99 ch.79 §15, 19. Neb. 7, 29 Mr
- 2407** Deputy county attorney in counties of 60,000 [formerly 70,000] to 125,000 to have \$1500 salary; bond; 4 [formerly 3] deputies in counties over 125,000. Amending C.S.'81 ch.7 §20. Neb. 8, 28 F
- 2408** Fixing salaries of county prosecutors of pleas according to population. Amending '00 ch.15. N. J. 181, 22 Mr
- 2409** County attorney to conduct prosecutions in justices courts and on request assist district attorney in other prosecutions. Amending R.S.'98 §633. U. 42, 14 Mr
- 2410** County attorney to be paid from county [formerly one half from state] fund. Amending R.S.'98 §2061. U. 47, 14 Mr

- 2411 State's attorney. In case of vacancy circuit judge may appoint prosecuting attorney to act as state attorney; salary \$10 a day.  
Fla. 15, 29 My
- 2412 Submitting constitutional amendment; salary of state's attorney in each county \$3000; in Baltimore \$4500; deputy \$3000; other assistants \$1500. *Adopted November 1901.* Md. 185, 5 Ap 00
- 2413 Judge to discharge state solicitor intoxicated in court or in town during session of court and to appoint another for term.  
N. C. 717, 14 Mr
- 2414 Amending R.C.'99 §1979 relating to duties of state's attorney; monthly reports to attorney general. N. D. 178, 11 Mr
- 2415 In criminal and civil cases where county is party county commissioners may employ counsel to assist state's attorney.  
S. D. 93, 11 Mr
- 2416 District attorney. In cities 30,000 to 100,000 district attorney to appoint prosecuting attorney for police courts; salary \$2000; paid by city. Cal. 226, 23 Mr
- 2417 Prosecuting attorneys and deputies may administer oaths necessary in official business. Ind. 30, 28 F
- 2418 Circuit attorneys in circuits embracing cities of 300,000 may appoint 2d assistant at \$2400 and stenographer at \$1200 to hold office and receive pay by month; circuit attorney's salary \$5000 in lieu of fees; \$750 from fees set aside for expenses of his office.  
Mo. p.48, 18 Mr
- 2419 Fixing salaries of district attorneys; may appoint deputies. Amending Hill's Ann. L. §2301, 2304. Or. p.293, 27 F
- 2420 District attorney and assistants to be paid *monthly* or quarterly. Amending '87 ch.124. Pa. 168, 17 My
- 2421 Creating office of district attorney; elected every 4 years; qualifications; duties; salary. U. 56, 9 Mr 99. *Partly unconstitutional.* Attempts to revise law by reference to title only. State v. Beddo, 63 P. 96.
- 2422 District [formerly county] attorney to conduct suit against corporation charged with offense. Amending R.S.'98 §5076.  
U. 5, 14 F
- 2423 District [formerly county] attorney to advise grand jury. Amending R.S.'98 §4720. U. 7, 14 F
- 2424 District [formerly county] attorney may dismiss criminal action. Amending R.S.'98 §5068. U. 9, 14 F
- 2425 District attorney to appear for state in criminal prosecutions and conduct legal business in his district on request of attorney general; in districts of 75,000 may employ clerk at \$900.  
U. 69, 14 Mr
- 2426 District attorney to receive mileage of 5c [formerly 8c] for railroad and 15c for other travel. Amending R.S.'98 §2051.  
U. 103, 18 Mr
- 2427 In counties over 250,000 district attorney may appoint clerk at \$600 annually. Wis. 37, 8 Mr

- 2428** With consent of county board, district attorney may appoint assistants, stenographer and clerk; salaries to be fixed by board. **Wis. 394, 13 My**
- 2429** Notaries public. Powers of notaries public for swearing witnesses and taking depositions coextensive with state. **Ark. 82, 4 Ap**
- 2430** In counties over 20,000 governor may commission 65 [formerly 60] notaries public. Amending P.C. §791. **Cal. 235, 23 Mr**
- 2431** Person appointed notary public to pay executive secretary \$1, 1-4 [formerly 1/2] for state treasury and 1-4 for executive clerk. Amending G.S.'88 §288. **Ct. 87, 29 My**
- 2432** Person holding lucrative office not to act as notary public; penalty \$1000; employees of manufacturing corporations exempt. Amending '81 ch.137. **Ind. 142, 9 Mr**
- 2433** Bond of notary public executed by surety company to be approved by secretary of state. Amending P.C. §917. **Mon. p.113, 28 F**
- 2434** Notary public may take acknowledgments in other county than that for which appointed by filing with county clerk of such county autograph and clerk's certificate of appointment and qualification and paying fee of \$1. Amending '92 ch.683 §82. **N. Y. 657, 3 My**
- 2435** Notaries public to be appointed by governor and confirmed by senate; term 4 years; fee to be paid state treasurer \$25; to append to official acts statement showing when commission expires. **Pa. 39, 4 Ap**
- 2436** Women of 21 years may be notaries public. Amending S.'94 §2963. **Vt. 42, 26 O 00**
- 2437** Certificates of acknowledgments to contain impression of official seal of notary public and date when commission expires. **Wis. 38, 9 Mr**
- 2438** Notary public protesting note or bill of exchange to give notice to maker and indorser; to make certificate and record of protests. Amending S.'98 §1681-89. **Wis. 41, 9 Mr**
- 2439** Special commissioners. Court in session may approve report of master's sale or hear exceptions. Amending R.S.'99 ch.106 §29. **Ill. p.261, 11 My**
- 2440** Persons appointed by supreme judicial court to hold hearings and assess damages to be called commissioners. Amending '90 ch.458. **Mass. 366, 3 My**
- 2441** Commissioners to sell property to make final returns to clerk of superior court in 60 days from last payment; clerk to audit and record; fees. **N. C. 614, 13 Mr**
- 2442** Court commissioner may act in place of judge of court of record to take depositions to perpetuate testimony. Adding §4119a to S.'98. **Wis. 14, 21 F**
- 2443** Coroners. Coroner's fees to include 5c for each mile traveled to hold inquest. Amending R.S.'92 §3024. **Fla. 84, 22 My**
- 2444** Coroner may employ stenographer. Supplementing '85 ch.296. **Me. 267, 22 Mr**

**Administration of justice**

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- 2445 Amending G.S.'94 §5554 as to coroner's fees. Minn. 200, 10 Ap  
2446 When no demand is made for body of deceased, coroner to bury  
at expense not over \$75; paid by estate if sufficient [formerly  
by county if estate insufficient]. Amending Ballinger's Codes '97  
§537. Wash. 12, 14 F  
2447 Fee of coroner's physician not under \$10 except in counties over  
35,000. Wash. 131, 18 Mr  
2448 Inquests. Coroners to request county attorney to conduct exam-  
ination of witnesses at inquest. Amending G.S.'94 §843.  
Minn. 97, 28 Mr

**Civil procedure—general**

(Including such provisions as apply to both civil and criminal cases)

**Commencement of action**

- 2449 Amending R.C.'99 §6633 relating to commencement of actions in  
justice courts. N. D. 61, 12 Mr  
2450 In counties over 150,000 indemnity bonds given to sheriff to be  
justified before and approved by judge and inure to benefit of  
successful party in suit without recourse to sheriff serving writ.  
Pa. 199, 24 My  
2451 Limitation. (See also Special actions, 2680) Action on contract not  
in writing may be brought within 5 [formerly 3] years.  
Amending C.C.P. §513-14. Mon. p.157, 11Mr  
2452 Service of attorney or litigant in legislature to be cause for exten-  
sion of time in actions other than provisional remedy.  
S. D. 61, 1 F  
2453 Statute of limitations to apply to persons outside U. S. Repeal-  
ing C.'58 §2757, 3120, 3182. Tenn. 15, 20 Mr  
2454 Proceeding to reverse or modify judgment to be begun within 1  
[formerly 2] year from date of removal of legal disability;  
court may extend time 18 months. Amending R.S.'99 §4262.  
Wy. 28, 13 F  
2455 Parties. Plaintiff may discontinue action against 1 or more of  
several defendants. Amending C.L.'97 §837. Mich. 50, 9 Ap  
2456 Prosecution of bond given by Indian to be by attorney general or  
district attorney at his request; sum collected paid to state for  
Indian poor. Amending Crim.P. §905. N. Y. 165, 22 Mr  
2457 Person with interest in real property for injury to which com-  
plaint demands relief to be on application made party to action.  
Amending C.C.P. §452. N. Y. 512, 24 Ap  
2458 Making unknown persons parties defendant in civil actions to  
determine adverse claims. Amending R.C.'99 §5904-13.  
N. D. 5, 13 Mr  
2459 Indians may sue and be sued in actions in courts of record.  
Pa. 38, 4 Ap  
2460 Place of action. Civil actions rising outside state may be tried  
in any county. U. 19, 5 Mr

**Summons. Process generally**

- 2461 In suits begun by attachment summons to issue and be personally  
served. Ala. p.41, 7 D 00



- 2462 In cases of liability of foreign corporations having no resident agent or officer, process may be served on state auditor.  
Ark. 23, 28 F
- 2463 Process in civil action against foreign railroad corporation in hands of receiver may be served on receiver's agent. Amending S.'94 §5669. Ark. 106, 16 Ap
- 2464 Amending C.C.P. §850 as to content and service of notice of trial in justices courts. Cal. 191, 23 Mr
- 2465 Process in civil actions in court of common pleas returnable on 1st Tuesday of any month except July and August; New Haven and Waterbury any month. Ct. 86, 29 My
- 2466 Subpena in disclosure proceedings to be served on debtor *personally* [formerly might be left at domicile]. Amending '87 ch.137 §5. Me. 274, 22 Mr
- 2467 Service may be made on corporation by leaving copy with president, cashier, secretary, *treasurer* or other officer or agent or banking house or office. Amending C.L.'97 §754. Mich. 68, 18 Ap
- 2468 Process on interurban electric railway may be served on station agent, ticket agent or conductor; exception. Mich. 208, 6 Je
- 2469 In actions against joint defendants of different counties, when process has been served on 1 defendant in county or goods attached or *garnished*, process may issue to sheriff of county of other defendants or goods liable to attachment or *garnishment*. Amending C.L.'97 §10,010. Mich. 225, 6 Je
- 2470 Amending G.S.'94 §5195 as to notice in summons in action on judgment. Minn. 27, 8 Mr
- 2471 Amending G.S.'94 §5205 as to personal service of summons outside state. Minn. 63, 16 Mr
- 2472 Providing for service of process on nonresidents. Minn. 278, 13 Ap
- 2473 Service of process on corporations in actions for collection of unpaid taxes, water rents and rates in municipalities. Supplementing '98 ch.193. N. J. 200, 22 Mr
- 2474 Copy of summons and complaint in civil action may be mailed by registered letter; registry receipt to be prima facie proof of mailing and receipt by defendant. Amending R.C.'99 §5256. N. D. 194, 26 F
- 2475 Providing manner of serving process in actions at law. Pa. 310, 9 Jl
- 2476 Amending C.C.P.'93 §156, 158 as to personal service of summons. S. C. 370, 20 F
- 2477 Amending C.L.'87 §6054 as to time specified in summons for appearance of defendant. S. D. 195, 2 F
- 2478 Order for service of summons by publication to be made by court or judge within 10 days after filing of affidavit and application. Amending S.'98 §2640. Wis. 48, 11 Mr
- 2479 Summons, writ or order in civil actions may be transmitted by telegraph or telephone. Wy. 25, 13 F

**Trial. Pleadings**

- 2480 **Change of venue or judge.** Amending G.S.'94 §4838 as to change of venue. Minn. 16, 26 F
- 2481 **Change of venue may be had when there is reason to believe fair trial can not be had in county designated in complaint.** Amending R.S.'98 §2934. U. 23, 5 Mr
- 2482 **Pleadings. Motions.** Counsel to file 3 copies of brief in cases argued before law court. Me. 195, 16 Mr
- 2483 **In counties under 40,000 defendant to demur or answer by 1st [formerly 3d] day of term.** Amending R.S.'99 §597. Mo. p.85, 22 Mr
- 2484 **Amending C.C.P. §683 relating to pleadings in civil actions; defendant to answer amended complaint within 20 [formerly 10] days.** Mon. p.158, 15 F
- 2485 **In actions on contract in courts for trial of small causes defendant may plead in abatement partial failure of consideration and recoup damages; bill of particulars to be filed with justice.** Supplementing G.S.'95 p.1023. N. J. 196, 22 Mr
- 2486 **Amending C. §272 relating to amendments of pleadings after allowance of demurrer.** N. C. 486, 9 Mr
- 2487 **When corporation is party verification of pleadings may be made by officer, manager or local agent.** Amending C.'83 §258. N. C. 610, 13 Mr
- 2488 **On affidavit of defendant of insufficient notice before entry of judgment he may be allowed to defend after judgment or within 1 year after notice and 3 [formerly 7] years after entry [formerly rendition]; defendant receiving copy of summons by mail has had notice.** Amending R.C.'99 §5260. N. D. 67, 11 Mr
- 2489 **In civil action in common pleas division of supreme court, additional copy of plaintiff's declaration to be filed for defendant's use; additional copy of demurrer or pleas to be filed for plaintiff's use.** Amending G.L.'96 ch.238. R. I. 845, 28 Mr
- 2490 **Equity causes.** In case for damages at law and equitable relief, no decision on equitable matters to affect untried claim for damages. Ct. 101, 29 My
- 2491 **In appeals from decrees of superior court in equity cases justice making decree appealed from may make any proper order pending appeal.** Amending '83 ch.223 §6. Mass. 244, 4 Ap
- 2492 **Continuance. Postponement.** Court or judge may extend time of hearings in civil actions. Amending C.L.'97 §2685. N. M. 11, 27 F
- 2493 **Miscellaneous procedure.** Suits may be begun in certain cases on Sunday. Ala. p.37, 5 D 00
- 2494 **Clerk of court to enter order, default, or nonsuit only under direction of court except when parties fail to appear.** Ct. 95, 29 My
- 2495 **In courts of record civil, equity and other cases wherein jury is not allowable to be docketed first.** Amending R.S.'99 §1584. Mo. p.107, 5 Mr
- 2496 **In actions for debt deponent need not state in affidavit belief that debtor has not goods or chattels sufficient to satisfy amount due.** Supplementing '92 ch.249. N. J. 171, 22 Mr

- 2497 Trials in actions on negotiable paper or for divorce to be made at term of court when process is returned if summons is served on defendant and complaint filed with clerk 30 days previous. N. C. 626, 13 Mr
- 2498 Repealing G.L.'96 ch.236 §2 providing for dismissal of proceedings in supreme or district courts when neither party appears for 1 year. R. I. 850, 29 Mr

**Evidence. Witnesses**

- 2499 Competence. Forms. Courts to take judicial knowledge of laws of other states. Ark. 98, 11 Ap
- 2500 Person convicted of crime other than perjury not to be disqualified as witness; evidence to affect credibility may be admitted; conviction may be proved by questioning or producing record. Fla. 82, 30 Ap
- 2501 Witness not to testify in own behalf against insane or deceased person. Amending C.C.'95 §5269. Ga. p.57, 18 D 00
- 2502 Agent who made contract with deceased not competent witness against heirs or representatives; exceptions. Amending C.L.'97 §10,212. Mich. 239, 6 Je
- 2503 Person sentenced for felony or infamous crime disqualified as witness unless pardoned and restored to citizenship. Amending C.L.'97 §3016. N. M. 58, 19 Mr
- 2504 Persons interested or having been interested in subject of action concerning inheritance not to testify unless called by opposite party. Amending C.L.'87 §5260. S. D. 106, 12 Mr
- 2505 Testimony to sustain or resist motion may be made by affidavit or in such manner as parties agree or judge directs. Amending R.S.'98 §3325. U. 14, 25 F
- 2506 Person indebted to deceased property holder, or having control or knowledge of concealed property thereof may be brought to court together with witnesses and documents bearing on case. Amending S.'98 §3825-26. Wis. 23, 28 F
- 2507 Person not to testify in own behalf as to dealings with deceased or insane person till opposite party has testified. Amending S.'98 §4069. Wis. 181, 15 Ap
- 2508 Books. Papers. Laws. Certificate of justice of peace of any state to judgment, with certificate of clerk of court of record under seal to be prima facie evidence. Ga. p.78, 30 N 00
- 2509 Deeds acknowledged before attorneys to be received as evidence in courts. Amending '98 ch.232 §22. N. J. 138, 22 Mr
- 2510 Instruments entitled to record, or certified transcript or copy, to be admissible in evidence without farther proof. Amending R.C.'99 §3597. N. D. 145, 12 Mr
- 2511 Certified copy under seal of ordinances or records of cities and towns to be admitted as evidence in courts; notice of intention. S. C. 365, 8 F
- 2512 Persons offering exemplified copies of wills as evidence to give 10 [formerly 60] days notice previous to trial. Amending R.S.'93 §2359. S. C. 430, 20 F

- 2513 Certified copy of record or of filed instrument admissible in evidence without further proof. Amending C.C.'99 §493 and repealing C.C.'99 §494. S. D. 2, 9 Mr
- 2514 Recitals of pedigree, marriage, celibacy, consanguinity, adoption or descent contained in conveyance or will to be evidence of facts recited after 20 years record. Amending S.'98 §2216c. Wis. 28, 2 Mr
- 2515 Official record of county surveyor signed in official capacity to be admitted as evidence in courts. Amending S.'98 §771. Wis. 213, 25 Ap
- 2516 Miscellaneous regulations. Order for conditional examination of witnesses to be served on *district* [formerly county] attorney. Amending R.S.'98 §5031. U. 13, 25 F
- 2517 Misdemeanor to hinder or tamper with witness to prevent appearance in court. Wash. 17, 19 F
- 2518 In actions by state or municipality involving conduct of public officer, no witness to be prosecuted on account of testimony he may give except for perjury. Amending S.'98 §4078. Wis. 85, 23 Mr
- 2519 Attendance and fees of witnesses. Amending C.'98 §1336 relating to fees of witnesses. Ala. p.81, 13 D 00
- 2520 Prosecuting attorneys of county courts to have process for witnesses; may administer oaths and take recognizance to appear at term of court. Fla. 23, 9 My
- 2521 Clerks of inferior courts and trial justices may make requisitions on county treasurers for \$200 a month for witness fees if approved by controller of county accounts. Mass. 126, 7 Mr
- 2522 Witnesses not obliged to attend for examination in civil action in *district court* outside resident district; *nor before other officer, magistrate or tribunal outside resident county*. Amending R.C.'99 §5658. N. D. 214, 13 Mr
- 2523 Service of subpoena by reading or copy, delivered to witness or left at residence. Amending S.'93 ch.68 art.17 §9. Okl. 24 art.2, 8 Mr
- 2524 Court may issue bench warrant on application of *district* [formerly county] attorney. Amending R.S.'98 §4909. U. 10, 14 F
- 2525 County or *district* attorney may issue subpoenas. Amending R.S.'98 §5017. U. 12, 25 F
- 2526 State, county and municipal officers not to be allowed witness fees unless testifying in another county from that of residence. Wash. 101, 16 Mr
- 2527 Depositions. Affidavits. 1 day's notice of application for order for deposition to be used on motion in court of record, to be given opposing party; exceptions. Amending C.C.P. §885. N. Y. 526, 24 Ap
- 2528 Regulating taking depositions before magistrates or justices of peace. Pa. 45, 11 Ap
- 2529 Notice for taking depositions may be given outside state by personal service of copy of notice; reasonable time to be allowed. S. D. 112, 15 F

- 2530** Superior court may compel attendance of witnesses before notaries public, justices of peace or other officers authorized to take depositions. Wash. 26, 28 F

**Jury. Verdict.** (*See also* Criminal procedure—Grand jury, 2792; Jury, 2810)

- 2531** Jury commissioners. Amending '99 ch.441 §11 as to filing jury lists by commissioners of jurors. N. Y. 172, 22 Mr
- 2532** Repealing '96 ch.378 providing for special commissioners of juries. N. Y. 601, 27 Ap
- 2533** Justices of appellate division to appoint commissioner of jurors for county of 1,000,000; provisions for special jurors. N. Y. 602, 27 Ap
- 2534** Providing for selection of jurors; superior court judge for each county to appoint 2 electors from list of 4 recommended by bar to act as jury commissioners; term 1 year; fees \$5 a day; to select names of qualified jurors in county; drawing of petit jurors. Wash. 97, 16 Mr
- 2535** Drawing. Qualifications. In counties under 250,000 county board to select 100 petit jurors for each term; in counties over 250,000 jury commissioners to select; jurors in city courts from *body of county* [formerly from 4 of most convenient towns]; age 21 to 65 [formerly 60]. Amending R.S.'99 ch.78 §2. Ill. p.230, 11 My
- 2536** In counties over 150,000 12 additional jurors to be drawn to remain during term as special talesmen. Ind. 213, 11 Mr
- 2537** Amending '99 ch.121 §1 as to adding to venire or issuing subsequent venire in drawing jurors. Kan. 236, 13 F
- 2538** Jury not to be summoned to serve in district court in counties under 3000, except on written order of judge of court. Kan. 237, 5 Mr
- 2539** Constable, on receipt of venires, to post notices for voters and deliver to at least 2 municipal officers and to town clerk written notice of meeting. Amending R.S.'83 ch.106 §9. Me. 160, 1 Mr
- 2540** District judges may fix day of term for convening of petit jurors. Minn. 80, 28 Mr
- 2541** Amending R.S.'99 §3761-73 relating to juries; county courts relieved from drawing grand juries; except in cities over 300,000 and in counties with cities of 50,000 to 300,000 petit jurors to be selected; from list of 200 [formerly 100] qualified to act as jurors, 24 [formerly 12] to be drawn to serve as *petit* [formerly grand] jurors; procedure. Mo. p.191, 28 Mr
- 2542** Prescribing method of drawing and summoning grand and petit jurors in counties over 60,000; qualifications. Repealing Crim.C.'99 §668a-n. Neb. 84, 1 F
- 2543** Amending R.C.'99 §450, 453, 456-57 relating to manner of drawing jurors and power of court to order completion of panel. N. D. 113, 12 Mr
- 2544** In counties over 50,000 jury list to contain 500 names; talesmen; drawing jurors; fees. Amending Hill's Ann. L. §951, 954, 958, 960, 968, 2348. Or. p.384, 28 F

- 2545 County commissioners in counties not organized into civil townships to select 200 names from last tax list and send to clerk of circuit court; jurors to be drawn from list. S. D. 168, 5 Mr
- 2546 Misdemeanor to summon or nominate persons seeking to be jurors. Tenn. 169, 22 Ap
- 2547 On payment of \$30 and demand for new list of jurors on day preceding trial judge to order special jury; money paid not to be taxed as costs. Amending R.S.'98 §1312. U. 132, 25 Mr
- 2548 Providing for selection and removal of jurors in superior courts; petit jurors to be discharged after 1 month's service. Amending '01 ch.97. Wash. 8, 13 Je
- 2549 In counties under 35,000 county commissioners to draw from names of qualified jurors 300 householders or freeholders to serve as grand and petit jurors for year. Amending Ballinger's Codes'97 §4741. Wash. 32, 28 F
- 2550 Circuit judge may limit petit jurors to less than 36. Amending S.'98 §2533b. Wis. 35, 8 Mr
- 2551 Chairman of county commissioners, county clerk and county treasurer to omit from jury list names of incompetent persons; judge may make order for jury in vacation; form of order. Amending R.S. §3346, 3350. Wy. 109, 19 F
- 2552 Exempting. Pharmacists exempt from jury duty. Amending C.'96 §4966. Ala. p.142, 28 F
- 2553 Pharmacists, embalmers and undertakers exempt from jury service. Amending R.S.'99 ch.78 §4. Ill. p.229, 11 My
- 2554 Editors, editorial writers and daily newspaper reporters exempt from jury duty. Amending '95 ch.369 §20. N. Y. 230, 2 Ap
- 2555 Train dispatchers exempt from jury duty. N. C. 118, 6 F
- 2556 Registered pharmacists exempt from jury duty. Amending R.C.'99 §441. N. D. 114, 12 Mr
- 2557 Persons employed in life saving service exempt from jury duty. Amending G.L.'96 ch.227 §3. B. I. 836, 28 Mr
- 2558 Impaneling. Challenge. Fact that person is party to suit pending in court during term, or has requested to be placed on panel, or lacks one of qualifications mentioned in C.C.P. §657 to be cause for challenge of petit juror; contempt of court to seek position of juror or for attorney to request selection of any person; penalties. Amending Crim.C.'99 §665, 668. Neb. 83, 1 Ap
- 2559 Juror in employ of party to action, or employee of or stockholder in corporation party to action may be challenged. Amending C.C.P. §1180. N. Y. 243, 2 Ap
- 2560 District attorney may not stand aside jurors in impaneling; number of peremptory challenges. Pa. 11, 6 Mr
- 2561 8 peremptory challenges in trials for forgery and perjury; court may change time and manner of exercising challenges. Amending '01 ch.11. Pa. 316, 9 JI
- 2562 Prescribing method of impaneling jurors in court of common pleas. S. O. 367, 15 F

- 2563 Verdicts.** Verdict in action for damages where measure is indeterminate not to be held excessive and set aside; exception. Ark. 125, 25 Ap
- 2564** Three fourths of jury may render verdict in civil cases. Col. 111, 22 Ap. '99. *Unconstitutional.* Jury may consist of less than 12 but unanimity is implied. City of Denver v. Hyatt, 63 P. 403.
- 2565** Court must instruct jury on points of law *whether requested or not.* Amending R.S.'99 §2627. Mo. p.140, 20 Mr
- 2566** Jury in civil cases to consist of 12 men; 9 may render verdict. Adding §3782a to R.S.'99. Mo. p.190, 12 Mr
- 2567** In justices courts verdict may be returned to two thirds of jurors, each of whom signs; if entire panel agree, foreman alone signs. Amending R.S.'99 §3994. Mo. p.194, 27 F
- 2568** Counsel may argue to court concerning written instruction for jury; court to charge jury in writing *before* [formerly *after*] arguments of counsel; counsel may argue about law to jury. Amending C.C.P. §1080. Mon. p.160, 15 F
- 2569** **Miscellaneous.** Court must direct sheriff to provide jury with food and lodging when kept together during trial. Amending Pen.C. §1136. Cal. 216, 23 Mr
- 2570** Exceptions may be taken to decision of jury on actual bias. Amending Pen.C. §1170. Cal. 63, 28 F
- 2571** On request of party in mining action jury to be kept together during trial. Amending R.S. §4387. Id. p.216, 14 Mr
- 2572** Clerk of court to make certificate of juror's per diem and mileage and require juror to make affidavit thereto. Amending S.'98 §2600. Wis. 93, 28 Mr

**Appeals. Review**

- 2573** Appeals may be taken to supreme court in cases of appointing receiver, redemption of property from mortgage, interlocutory judgment in actions of partition, refusing to revoke probate of will, and confirmation of report of appraisers. Amending C.C.P. §963. Cal. 69, 28 F
- 2574** G.S.'88 §683 as to appeals from justices of peace, as amended by '97 ch.196, to apply to all civil actions except summary process. Amending '99 ch.184. Ct. 63, 14 My
- 2575** Appeal to supreme court when verdict is set aside as against evidence; evidence to be made part of record for supreme court *without expense of printing to appellant.* Amending '97 ch.194 §29. Ct. 89, 29 My
- 2576** In appeals to supreme court of errors, evidence and rulings duly certified may be made part of record if filed within 1 week; cost of printing evidence, *actual expense, not to exceed \$1 each legal page* [formerly *each page*]. Amending '97 ch.194. Ct. 162, 17 Je
- 2577** Extending time for filing bill of exceptions in appeals to supreme court. Ind. 222, 11 Mr
- 2578** Prescribing cases in which city may appeal from police court to district and supreme courts. Kan. 75, 28 Mr 91. *Unconstitutional.* Subject not included in title. City of Topeka v. Wood, 64 P. 630.

- 2579 Amending G.S.'97 ch.38 §110 as to appeals from decisions of police judge in cities under 2000. Kan. 114, 5 Mr
- 2580 Courts of record or judges at chambers may sign and settle bill of exceptions and extend time beyond term. Kan. 275, 1 Mr
- 2581 Exceptions need not be taken to charge to jury or refusal to charge but aggrieved party may assign errors as if exceptions had been made. Amending C.L.'97 §10247. Mich. 52, 9 Ap
- 2582 Amending G.S.'94 §5400 relating to bills of exceptions. Minn. 26, 8 Mr
- 2583 Amending G.S.'94 §5398 as to granting new trials. Minn. 46, 14 Mr
- 2584 Exceptions deemed as taken if errors are specified in motion for new trial. Minn. 113, 2 Ap
- 2585 Evidence in record may be considered by appellate courts, if certified in any bill of exception, as though certified in each. Minn. 256, 16 F
- 2586 Papers filed in appeal to supreme court may be printed or typewritten; if latter, 3 carbon copies required for clerk of court and 1 for adverse party. Adding §1745 to C.C.P. t.13. Mon. p.161, 9 Mr
- 2587 Amending C.C.P. §1030 by providing right of appeal from judgments in actions of forcible entry and detainer. Neb. 82, 28 F 83. *Unconstitutional*. Subject not embraced in title. *Armstrong v. Mayer*, 83 N. W. 401.
- 2588 Person against whom judgment has been entered in action of forcible entry and detention may appeal to district court; bond to satisfy final judgment and costs. Neb. 85, 28 F
- 2589 Defining rights of plaintiff in error in appeal to supreme court. N. M. 99, 21 Mr
- 2590 Defendant in peace warrant case may appeal from decision of justice of peace. Amending C. §894. N. C. 66, 2 F
- 2591 Amending '97 ch.109 §3 as to exceptions in trial of civil cases. N. C. 594, 11 Mr
- 2592 District courts and supreme court to direct judgment to be entered in certain cases instead of granting motion for new trial. N. D. 63, 12 Mr
- 2593 Amending R.C.'99 §5631 relating to printing of briefs and abstracts on appeals to supreme court; certain briefs may be typewritten. N. D. 131, 1 Mr
- 2594 Amending Hill's Ann. L. §537 relating to appeals. Or. p.77, 23 F
- 2595 Appellant in civil case in supreme court to pay \$15 [formerly \$25] fee on filing transcript; respondent \$10 [formerly \$20]; clerk to turn sums collected into treasury. Amending '99 p.167. Or. p.114, 25 F
- 2596 Appeals from settlements or reports by county, borough or township auditors pending in court of common pleas may be appealed to supreme or superior courts. Pa. 152, 11 My
- 2597 In appeals taken to supreme court, attorneys for plaintiffs or defendants to be allowed \$10 for serving case, \$5 for procuring injunction, \$25 for argument in court. S. C. 355, 20 F



- 2598 Cases remanded by supreme or court of chancery appeals reinstated in lower court on filing certified copy of decree or mandate with clerk. Tenn. 10, 13 Mr
- 2599 Supreme court may suspend action on petition for writ of error and return record to court of civil appeals for further conclusions of fact if necessary to determine rights of parties. Amending R.S.'95 §943. Tex. 53, 10 Ap
- 2600 Questions of fact in findings in equity cases and of error in law cases are before supreme court for review without necessity of motion for new trial. Amending R.S.'98 §3304. U. 27, 8 Mr
- 2601 Judge may sign bills of exception either in term time or vacation. Amending C. §3385. Va. 172, 15 F
- 2602 Appeal, writ of error or supersedeas to be dismissed unless filed with clerk of appellate court within 2 [formerly 5] years from date of final judgment. Amending C.'99 ch.135 §17. W. Va. 78, 23 F
- 2603 Appeals from justices of peace not to be dismissed from fault of justice or when appellate court decides that dismissal would do injustice to appellant. Amending C.'99 ch.50 §170. W. Va. 79, 20 F
- 2604 Motion for new trial not decided during term to be considered overruled; exception to overruling to be allowed in bill of exceptions. Amending S.'98 §2878. Wis. 100, 30 Mr
- 2605 Amending S.'98 §2877 relating to settlement of bills of exceptions after death, incapacity or removal of judge. Wis. 293, 4 My
- 2606 Plaintiff in error on filing petition in supreme court to apply for order directing clerk of lower court to send up original papers and transcript of journal entries. Amending R.S.'99 §4254. Wy. 3, 31 Ja
- 2607 Application for new trial in civil and criminal cases to be made within 10 [formerly 3] days after verdict is rendered; exceptions. Amending R.S.'99 §3748, 5416. Wy. 66, 16 F

#### Judgments

- 2608 Judgments against property to be satisfied within 20 [formerly 10] years. Amending '91 p.247. Col. 88, 27 Ap
- 2609 Town clerk to keep book for recording judgments of justices of peace; same fee as for land deeds. Ct. 116, 3 Je
- 2610 Judgments or decrees of, which court records have been burned not effectual liens on real estate unless proceedings to reestablish begin within 9 months of act. Fla. 35, 30 My
- 2611 Supreme and circuit courts on affirming judgment or decree of inferior court to render judgment against appellant including costs not over 10% of original judgment; clerk of circuit court of county of original trial to issue execution. Fla. 38, 17 My
- 2612 In action brought to vacate or modify judgments, copy of petition and of publication of notice to be mailed to defendants outside state. Kan. 282, 25 F
- 2613 Amending G.S.'94 §5386 as to delay in court decisions. Minn. 47, 14 Mr

- 2614 Amending '95 ch.229 §18 as to procedure in offers to allow judgment in municipal courts in cities under 5000. Minn. 161, 6 Ap
- 2615 Action on judgment to be begun within 10 years. Amending G.S.'94 §5135, '99 ch.123. Minn. 279, 13 Ap
- 2616 Judgment on which execution is not levied within 5 years not to operate as lien on estate of debtor in preference to other bona fide judgment creditor or purchaser. Amending Crim.C. '99 §509. Neb. 81, 26 Mr
- 2617 Proceedings to reverse, vacate or modify judgments to be begun within 6 months [formerly 1 year] after rendition of judgment. Amending Crim.O. '99 §592. Neb. 82, 29 Mr
- 2618 Judge may order debtor to pay judgment in instalments when execution is returned unsatisfied. Amending G.S.'95 p.1414. N. J. 177, 22 Mr
- 2619 Judge or justice may render judgment for court; application for judgment when defendant does not appear may be made to court or judge or justice thereof. Amending C.C.P. §1215. N. Y. 511, 24 Ap
- 2620 Lien of judgment may be renewed for 10 years; procedure. N. D. 110, 12 Mr
- 2621 Execution of judgment in civil actions may be stayed for reasonable time to move new trial or perfect appeal from judgment. N. D. 111, 8 Mr
- 2622 In lieu of persons having authority to satisfy judgments, clerk of court where judgment was entered to receive payment and record satisfaction; procedure. N. D. 112, 13 Mr
- 2623 Judgment or order of court of quarter sessions or oyer and terminer may be certified to any court of common pleas in same county and be recorded as judgment of such court and have same force as if made therein; revival and collection of judgment. Pa. 117, 8 My
- 2624 Defining rendition and entry of judgments and orders. Amending C.L.'87 §5102-3. S. D. 168, 23 F
- 2625 Mandates to be issued by clerk of supreme court or courts of civil appeals on rendition of final judgment; to be taken out within 12 months. Amending R.S.'95 §976. Tex. 54, 10 Ap
- 2626 Judgment in justice's court is lien on real property of debtor for 8 [formerly 5] years. Amending R.S.'98 §3736. U. 21, 5 Mr
- 2627 Duration of judgment not to be extended for longer period than 6 years. Wash. 39, 6 Mr 97. Unconstitutional. Impairs obligation of contracts. Palmer v. Laberee, 63 P. 216.
- 2628 Clerk of county court to docket any judgment rendered by justice of peace or court of state or by any circuit or district court of U. S. [formerly in this state]. Amending C.'99 ch.139 §4. W. Va. 75, 23 F
- 2629 In action for wrongful cutting of timber judgment in favor of defendant is sufficient evidence of title. Amending S.'98 §4260. Wis. 170, 13 Ap

**Executions. Judicial sales.** (*See also Exemptions, 1923; Foreclosures, 2084*)

- 2630 Amending C.'96 §1361 relating to execution against plaintiff for his costs; penalty for failure to collect or pay over.  
Ala. p.137, 1 Mr
- 2631 Misdemeanor to remove from county property under execution or attachment process; penalty.  
Del. 214, 25 F
- 2632 On petition of plaintiff in execution to circuit judge, showing unsatisfied execution in his favor in hands of officer refusing to make levy, plaintiff entitled to alternative writ of mandamus.  
Fla. 30, 31 My
- 2633 Marshals and tax collectors of towns to be subject to superior, city or county court of county for money from public sale under process; on written notice selling officer to hold proceeds till ordered to pay by court.  
Ga. p.81, 15 D 00
- 2634 Amending '99 p.243 relating to giving notice of sales under execution.  
Id. p.156, 14 Mr
- 2635 Sheriff or constable to sell *perishable property* [formerly peaches and berries] levied on at order of court. Amending C.L.'97 §10360-61.  
Mich. 59, 12 Ap
- 2636 Holder of sheriff's certificate of sale to take deed within 10 years of expiration of redemption period; if period has expired then within 5 years.  
Mich. 63, 16 Ap
- 2637 Amending G.S.'94 §5475 as to certificates of redemption from execution sale.  
Minn. 39, 13 Mr
- 2638 Sheriff may execute deed of sale made by former sheriff.  
Minn. 305, 12 Ap
- 2639 Sheriff's sale not to be set aside for defect in service of notice on person in possession. Amending G.S.'94 §6054.  
Minn. 374, 13 Ap
- 2640 Exempting damages for conversion of exempt property from attachment or levy on execution.  
N. H. 55, 7 Mr
- 2641 In default of goods, chattels or lands, defendant exempt from arrest by officer serving execution. Amending C.L.'97 §3107 and repealing §3108-9.  
N. M. 49, 19 Mr
- 2642 On death of judgment debtor no execution to issue except for recovery of real or personal property, enforcement of lien or *recovery of money when attachment was levied before death*. Amending C.L.'87 §5803.  
S. D. 167, 1 Mr
- 2643 Execution on judgment in justice's court may be issued within 8 [formerly 5] years. Amending R.S.'98 §3737.  
U. 20, 5 Mr
- 2644 From time of docketing judgment of justice's court with clerk of district court, execution may be issued thereon. Amending R.S.'98 §3735.  
U. 22, 5 Mr

**Miscellaneous**

- 2645 Contempt. Specifying cases in which courts may punish for contempt. Ga. C.'95 §4046. *Unconstitutional* as to courts created by constitution. Confuses separate departments of government. *Bradley v. State*, 36 S. E. 630.

- 2646 Judges at chambers may adjudge person guilty of contempt of court and issue writ of attachment. Amending '97 ch.106 §3-4, 6. Kan. 123, 26 F
- 2647 Costs. If plaintiff in civil action in district court is state, county, city, township, school district or board of education, no bond for costs required. Amending G.S.'89 §4682. Kan. 276, 7 F
- 2648 Fixing allowance of costs to parties recovering before trial justice [formerly in any court] or in supreme judicial or superior courts. Amending R.S.'83 ch.116 §14. Me. 217, 19 Mr
- 2649 Costs not allowed unless precept bears indorsement of attorney at law. Me. 223, 19 Mr
- 2650 Costs in civil actions to depend on amount recovered. Me. 282, 22 Mr
- 2651 Amending C.C.P. §3251 as to taxation of costs in cases of new trial or assessment of damages. N. Y. 527, 24 Ap
- 2652 Defendant appealing from inferior courts to return to plaintiff costs paid *unless giving bond for payment of debt and costs if judgment is affirmed*. Amending '97 ch.233. Pa. 57, 19 Ap
- 2653 Legal notices. Amending G.S. §1423 fixing fees for legal advertising. Col. 78, 28 Mr
- 2654 Defining legal advertisement; contracts below legal rate valid. Col. 79, 11 Ap
- 2655 Establishing rate charged for official notices in newspapers. Id. p.157, 14 Mr
- 2656 Amending '91 ch.156 §1 as to printing of legal notices and advertisements in newspapers. Kan. 239, 5 Mr
- 2657 Order against nonresident defendant to be published in county paper *designated by plaintiff*; if no county paper in some newspaper of state. Amending R.S.'99 §581. Mo. p.85, 18 Mr
- 2658 Amending R.C.'99 §5730 relating to service of notices and papers on nonresident. N. D. 180, 8 Mr
- 2659 When county contains 40,000 Germans, legal notices to be published in both German and English papers. Pa. 79, 30 Ap
- Civil procedure—special actions
- Actions affecting property**
- 2660 Title to real estate. In unlawful detainment, sufficient to leave copy of demand to deliver at usual abode of party holding over. Amending C.'96 §2127. Ala. p.40, 7 D 00
- 2661 Determination of adverse claims to real property. Adding §749-51 to C.C.P. Cal. 183, 23 Mr
- 2662 Proceeding in civil action for possession of land against defendant who has made improvements; *execution not to be issued till plaintiff pays balance to defendant*. Amending G.S.'88 §1055. Ct. 141, 14 Je
- 2663 Occupation of premises for 7 [formerly 20] years deemed adverse possession; land occupied when protected by substantial inclosure or with usual cultivation. Amending '95 ch.91. Fla. 32, 28 My

- 2664 Court, or any justice thereof in vacation, on petition to order supposed claimant to real estate to bring action to settle. Amending R.S.'83 ch.104. Me. 170, 8 Mr
- 2665 Plaintiff's taxed costs to be set off against amount of verdict for defendant in action of ejectment. Amending C.L.'97 §10998. Mich. 58, 12 Ap
- 2666 Demand for new trial in ejectment to be made within 2 years. Amending '94 §5845. Minn. 344, 13 Ap
- 2667 In proceedings before justices of peace for forcible entry either party may demand trial by jury; *procedure as in civil suits; justice may allow proceeding to be amended and may permit new parties as coplaintiffs or codefendants.* Amending R.S.'99 §3331-36, 3345. Mo. p.176, 23 Mr
- 2668 Aggrieved cotenant to have action for injury for assumption of exclusive ownership by another tenant; cotenant may enter and work property held by tenancy in common at point separate from other tenants subject to accounting. Mon. p.134, 28 F 99. *Partly unconstitutional.* Destroys vested rights in existing tenancies. Butte & B. consol. mining co. v. Montana ore purchasing co. 63 P. 825.
- 2669 Person claiming and paying taxes for 5 years on lands not in his possession presumed to be in peaceable possession if lands are not in possession of another; claimant may bring suit to quiet title. Amending G.S. p.3486 ¶1. N. J. 30, 12 Mr
- 2670 Action for unlawful detainer of real property may be prosecuted before justice of peace when tenant from month to month or tenant at will continues in possession after 30 days written notice. Amending C.L.'97 §3345. N. M. 32, 16 Mr
- 2671 Adding art. 10 to C.C.P. t.1 ch.14 relating to evidence in actions involving title to real property. N. Y. 308, 8 Ap
- 2672 Forbidding cutting timber pending action when both parties show prima facie title. N. C. 666, 13 Mr
- 2673 Board of 3 appraisers to assess improvements for occupying claimant; excess to be paid by claimant; procedure. Amending §4500, 4505. Okl. 22, 19 F
- 2674 When court orders either party to an action to convey real estate and order is neglected, sheriff, prothonotary, clerk or trustee may execute conveyance. Pa. 56, 19 Ap
- 2675 In ejectment cases when verdict is rendered and judgment entered no new ejectment to be brought; practice in ejectment cases. Pa. 116, 8 My
- 2676 In cases of trespass, trover and rent involving title to land, justice, alderman or magistrate to take recognizance and send case up to court of common pleas. Pa. 304, 2 JI
- 2677 Action of trespass on case may be brought in breach of contract case. W. Va. 17, 15 F
- 2678 Ejectment proceedings may be brought against person in whom title appears of record in office of register of deeds; judgment to be conclusive and buyers acquiring title after filing of notice of action, to be bound. Amending S.'98 §3075, 3088. Wis. 152, 9 Ap

- 2679 **Landlord and tenant.** In summary process to recover possession of leased premises notice to lessee to be served 10 days before termination of lease. Amending G.S.'88 §1355. Ct. 111, 3 Je
- 2680 In suits between landlords and tenants change of venue allowed if justice before whom suit is pending is valuable witness, relative or prejudiced person. Amending R.S.'99 §41-49. Mo. p.199, 22 Mr
- 2681 Judgment for possession not to be ordered in cases of tenancy at sufferance except on proof of 3 months notice to quit. Amending '98 ch.228. N. J. 164, 22 Mr
- 2682 Notice of application for writ of venditioni exponas may be given nonresident tenant for life by publication. Amending '49 ch.419. Pa. 235, 4 Je
- 2683 Landlord and dispossessed tenant may appeal; stay of proceedings on tenant's surety for landlord's damages; jury trial to decide issue of fact. Amending '98 ch.495. S. C. 414, 19 F
- 2684 **Foreclosure. Redemption.** In action to foreclose mortgage or deed of trust for personal property defendant may prove payments or set-off; judgment to be rendered for balance; payment within 10 days to allow retention of property. Ark. 158, 23 My
- 2685 In foreclosures court may appoint commissioner to sell mortgaged property; bond; disability or absence of commissioner. Amending C.C.P. §726. Cal. 43, 26 F
- 2686 When plaintiff obtains judgment in suit on foreclosure of mechanic's lien attorney's fee to be taxed in addition to other costs. Col. 117 §18, 3 Ap 98. *Unconstitutional.* Courts of justice to be open and free to every person. Davidson v. Jennings, 60 P. 354.
- 2687 Providing for foreclosure of purchase-money liens on real estate; sheriff to deliver certificate of sale. Repealing '93 ch.109. Kan. 259, 1 Mr
- 2688 Foreclosure proceedings to be begun within 15 years after maturity of debt secured. Amending G.S.'94 §5141. Minn. 11, 19 F
- 2689 Amending G.S.'94 §6043 as to certificates of redemption from mortgage foreclosure sales. Minn. 38, 13 Mr
- 2690 Buyer of mortgaged premises at foreclosure sale may take same proceedings to redeem premises from tax sales as original mortgagee. Amending '96 ch.908 §139. N. Y. 695, 27 Ap
- 2691 Proceeding by advertisement for foreclosure of mortgages on real estate to be commenced within 10 years after cause of action has accrued. Amending R.C.'99 §5200. N. D. 120, 27 F
- 2692 Agents and attorneys not to foreclose real estate mortgages without power of attorney; sales on such foreclosures invalid. N. D. 132, 12 Mr
- 2693 When homestead is sold on execution or foreclosure, occupant to have right of redemption without accounting for occupation. Wash. 53, 8 Mr 99. *Partly unconstitutional.* Impairs obligation of contracts made before its passage. Canadian & American mortgage & trust co. v. Blake, 63 P. 1100.

- 2694 Partition. Court may order property sold instead of partitioned. Amending '98 ch.230. N. J. 182, 22 Mr
- 2695 Enlarging powers of committees of lunatics as to partition proceedings. Amending '95 ch.270. Pa. 262, 10 Je
- 2696 Condemnation proceedings. (*See also* Eminent domain, 1930) Amending C.'96 §627 relating to method of acquiring lands or right of way by U. S. Ala. p.32, 5 D 00; p.134, 27 F
- 2697 Amending C.'96 §1717, 1720 relating to allegations, objections, proof and appeal from assessment for damages in condemnation of lands for public uses. Ala. p.63, 11 D 00
- 2698 Regulating appeals from circuit or other courts of like jurisdiction in assessment of damages. Ala. p.146, 1 Mr
- 2699 Appeal from village council allowance for damages may be taken within 10 days to district court. Minn. 221, 10 Ap
- 2700 Procedure in action brought under law of eminent domain for assessment of damages; jury may be demanded. Amending R.C.'99 §5961. N. D. 74, 13 Mr
- 2701 Providing for appeals to supreme court in condemnation proceedings. Amending Ballinger's Codes '97 §5645. Wash. 102, 16 Mr
- 2702 Replevin. Regulating practice in replevin cases. Pa. 61, 19 Ap
- 2703 Bond furnished by plaintiff in service of writ of replevin may be of surety company. Amending G.L.'96 ch.272 §3-4. R. I. 815, 8 F
- 2704 Fixing fees of appraisers in replevin. Amending R.S.'99 §4152. Wy. 23, 13 F

**Personal injury and tort**

- 2705 Widower or legal representative of deceased person may bring suit for damages for death or loss due to unlawful violence or negligence. Amending '86 ch.31 §2. Del. 210, 9 Mr
- 2706 In damage suits against cities of 150,000 plaintiff may be required to join as codefendant person liable to same action by city; exceptions. Mo. p.78, 12 Mr
- 2707 Husband and wife not liable for torts of minor children. Amending '01 ch.62 §4. N. M. 83, 21 Mr
- 2708 Person whose rights have been impaired by municipality acting in derogation of its grants or covenants may bring action for damages. N. Y. 659, 3 My
- 2709 Attachments may be granted for injury to person caused by negligence or wrongful act. Amending C.'83 §347. N. C. 740, 15 Mr
- 2710 Amending R.C.'99 §6153 as to liability of owners for trespass of animals. N. D. 197, 5 Mr
- 2711 Owners of vessel liable for negligence causing damages to persons or property on shore; collection by attachment. Or. p.275, 27 F
- 2712 In civil cases for acts causing death jury may give exemplary damages where act was result of recklessness, wilfulness or malice. Amending '98 ch.491. S. C. 420, 19 F
- 2713 Suits against railroads for damages for personal injuries to be brought in county where injury occurred or of residence of plaintiff; exceptions. Tex. 27, 6 Ap

- 2714 Amending R.S.'98 §2911-12 as to who may sue for death caused by wrongful act or neglect of another. U. 46, 14 Mr
- 2715 Libel. Slander. Plaintiff to serve notice on publisher in case of action for newspaper libel; form of retraction; actual damages. Kan. 249, 1 Mr
- 2716 Maximum punishment for securing publication of false or libelous statement \$500 and imprisonment for 1 year. Me. 257, 21 Mr
- 2717 In actions for libel and slander defendant may prove acts of plaintiff creating suspicion of truth of charges. Mass. 322, 25 Ap
- 2718 Plaintiff to give 5 days notice of libel suit, specifying article; if published in good faith and corrected in 10 days after notice defendant to be fined 1 penny and costs; misdemeanor to communicate false statement to publisher. N. C. 557, 13 Mr
- 2719 Specifying procedure, retraction and recovery in cases of suit for newspaper libel. N. D. 119, 8 Mr
- 2720 Regulating libel suits; defendant not to be tried nor actions maintained for same publication, in more than 1 county; repealing '97 ch.168. Pa. 44, 11 Ap
- 2721 Defining civil libel; special pleas in mitigation; newspaper reports privileged. Tex. 26, 26 Mr
- Attachment.** (See also Executions, 2630; Exemptions, 1923)
- 2722 Physician's bicycle exempt from attachment. Ct. 94, 29 My
- 2723 Writ of foreign attachment may be issued in actions ex delicto; procedure. Del. 207, 12 Mr
- 2724 Plaintiff in attachment to execute indemnifying bond to officer making levy; failure estops him from bringing action against officer for property delivered to replevin plaintiff. Ind. 82, 6 Mr
- 2725 Writ of attachment issued to sheriff of another county to be entered by clerk of district court on execution docket same as writ of execution. Amending G.S.'89 §4573. Kan. 283, 5 Mr
- 2726 Money belonging to another, under control of public officer, may be attached while under control by making service according to C.C.P. §899. Amending C.C.P. §925. Mon. p.159, 16 Mr
- 2727 Repealing '93 ch.97, '95 ch.43 relating to practice in cases of attachment. N. J. 174, 22 Mr
- 2728 In attachment proceedings before justice of peace where plaintiff garnishes party on account of moneys or chattels due defendant and garnishee refuses to deliver such moneys or chattels he is discharged from liability after 60 days unless plaintiff proceeds against him in manner prescribed by law. N. J. 188, 22 Mr
- 2729 Regulating appeals from order of justice of peace dissolving attachment or releasing garnishee. Okl. 23, 8 Mr
- 2730 If personal property in hands of trustees is surrendered on service of attachment, officers serving to take possession and make return on writ. B. I. 848, 28 Mr



- 2731 Appeals may be made to supreme court from order of superior court discharging attachment; clerk of superior court to prepare transcript within *4 months* [formerly 90 days] and send to supreme court. Amending Ballinger's Codes '97 §6500, 6513-14. Wash. 81, 28 F
- 2732 Plaintiff suing an attachment to pay costs and damages sustained by officer who levies it. Amending C.'99 ch.106 §6. W. Va. 74, 23 F
- 2733 Garnishment. If defendant in proceedings for garnishment is resident of state service by publication or otherwise to be made only in county in which he resides. Amending '79 ch.129 §1. Kan. 279, 6 Mr
- 2734 If defendant is resident of state garnishee summons to be issued only when action is brought in resident county of defendant. Amending '72 ch.163 §1. Kan. 280, 6 Mr
- 2735 Amending R.S.'83 ch.86 §55 relating to trustee process; month's personal wages not exempt in suit *for taxes or necessities*. Me. 244, 21 Mr
- 2736 When answer of garnishee shows other claimant to property in *state, other state or country* [formerly county, adjoining county or outside state] court may order claimant interpleaded as defendant; notice to be served on resident defendant of time and manner of notice on nonresident. Amending C.L.'97 §10,627, 10,629. Mich. 60, 12 Ap
- 2737 80% [formerly \$25 or less] of wages of householder exempt from garnishment, limits \$3 to \$30; 40% of wages of nonhouseholder, limits \$4 to \$15; plaintiff may introduce evidence contradictory to statement of garnishee. Amending C.L.'97 §991, 995, 999. Mich. 172, 27 My
- 2738 Copartnership or company doing business in state may be garnished by service on bookkeeper, superintendent, foreman or resident manager. Amending C.L.'97 §990. Mich. 177, 28 My
- 2739 Salaries of officers and employees of county, city, town, village or school district subject to garnishment, attachment and execution. Minn. 96, 28 Mr
- 2740 Person on whom summons in garnishment has been served not to dispose of property in his hands belonging to defendant. Amending G.S.'94 §5309. Minn. 186, 9 Ap
- 2741 Amending '95 ch.353 §3 as to garnishment of nonresidents; not to have more advantageous exemptions than residents. Minn. 352, 13 Ap
- 2742 Amending R.C.'99 §6676e as to garnishee procedure in justice court. N. D. 59, 12 Mr
- 2743 Defining for purposes of garnishment officers and employees of cities, towns and villages. Amending '98 ch.314. Va. 234, 15 F
- 2744 Regulating stay of proceedings in appeals from judgment in garnishment cases in justice's court. Amending S.'98 §3726. Wis. 267, 2 My
- 2745 Providing for service of garnishment notices in justices courts; form of notice. Wis. 280, 2 My

- 2746 When execution can not be satisfied officer to summon on request of judgment creditor persons liable to debtor to appear as garnishees; duties of garnishees; copartnerships.

Wy. 95, 19 F

**Special civil proceedings**

- 2747 Injunction. **Mandamus.** Removal from office may be resisted by injunction when enforcement of other than constitutional requirements is attempted. Cal. 167, 23 Mr
- 2748 Superior court judge may dissolve temporary injunction granted by other court. Ct. 47, 30 Ap
- 2749 Supersedeas on appeal from decree granting or dissolving injunction not to modify decree unless ordered by supreme court justice. Amending R.S.'92 §1458. Fla. 33, 27 My
- 2750 Allowing probate judge to issue injunctions and restraining orders in absence or disqualification of district judge. Amending G.S.'80 §4334. Kan. 281, 25 F
- 2751 Right of person aggrieved to bring action for damages against public officer on official bond for refusal to perform duty not to preclude person from obtaining writ of mandamus to compel performance. Kan. 284, 25 F
- 2752 Amending R.C.'99 §5046 relating to injunctions to stay proceeding and prevent breach of contracts. N. D. 108, 12 Mr
- 2753 Supreme court to have exclusive jurisdiction in interlocutory decree in court of common pleas granting or refusing injunction or appointment of receiver; notice of appeal to be given within 10 days of notice of decree; procedure. Amending C.C.P. §2. S. C. 358, 15 F
- 2754 Certiorari. Proceedings on writs of certiorari may be quashed or affirmed by court. Me. 215, 19 Mr
- 2755 Civil cases removed on certiorari from justice of peace, when reversed to be recorded in prothonotary's office. Pa. 130, 11 My
- 2756 Certiorari to review action of town board, common council or board of trustees to be addressed to town, city or village clerk. Amending '98 §2421. Wis. 146, 6 Ap
- 2757 Quo warranto. Complaint and summons in quo warranto proceedings to be served within 30 days after taking office. N. C. 519, 11 Mr
- 2758 When bond of private relator bringing quo warranto proceedings in name of state is insufficient, attorney general may revoke leave and judge dismiss action. N. C. 595, 11 Mr

**Criminal procedure**

(See also numerous provisions of civil procedure)

**Apprehension. Prosecution. Indictment**

- 2759 Apprehension. Arrest. Quorum courts may buy 2 bloodhounds to be kept by sheriff to track transgressors of law; penalty; counties exempt. Ark. 92, 9 Ap
- 2760 Judges may allow \$50 reward to person informing against poultry thief. Ct. 129, 10 Je

- 2761 On request of sheriff county commissioners may buy bloodhounds; sheriff to practise them once a week. Fla. 40, 22 My
- 2762 Expense of extraditing fugitives from justice to be paid by county commissioners. Ind. 104, 7 Mr
- 2763 Magistrate may issue warrant for arrest on Sundays and holidays. Amending R.S.'83 ch.132 §6. Me. 239, 21 Mr
- 2764 Adopting Bertillon system of identification of criminals; mandatory for felons. Mo. p.137, 22 Mr
- 2765 Person knowing of commission of *crime* [formerly misdemeanor] may make affidavit. Amending R.S.'99 §2478. Mo. p. 139, 13 Mr
- 2766 Warrant for arrest may be directed generally to sheriff, constable, marshal or policeman in county where issued; may be executed by officer to whom directed in any county. Nev. 68, 19 Mr
- 2767 On written notification by governor, attorney general, judge or prosecutor that crimes act is being violated municipal authorities to take action. Supplementing '98 ch.235. N. J. 173, 22 Mr
- 2768 Warrant of justice of peace when indorsed to be served in any county. Amending C.'83 §1136. N. C. 668, 14 Mr
- 2769 Agents appointed to receive fugitives from justice *in cases of treason and felony* [formerly all cases] to be paid by state; *otherwise by county where crime was committed*; regulations. Amending R.C.'99 §8494. N. D. 102, 12 Mr
- 2770 County to pay to amount of \$75 necessary expenses of sheriff in bringing back person charged with felony. Tenn. 96, 11 Mr
- 2771 Governor may organize ranger force to protect frontier and suppress lawlessness throughout state; quartermaster and not over 4 companies each of captain, sergeant and 20 privates; governor to appoint quartermaster and captains for 2 years; may disband whole or part at any time; force to have powers of peace officers. Tex. 34, 29 Mr
- 2772 On arrest of fugitive from justice *district* [formerly county] attorney to be notified; *district* [formerly county] attorney to notify executive or other authority of state having jurisdiction. Amending R.S.'98 §5109-10. U. 6, 14 F
- 2773 Officers of New Hampshire may detain and transport prisoners arrested therein through Vermont. Vt. 135, 19 N 00
- 2774 \$8 a day and travelling expenses to be paid sheriff for extraditing fugitives. Wis. 126, 1 Ap
- 2775 Correcting error in reference in R.S.'99 §5256 relating to duty of officer making arrest under warrant. Wy. 97, 19 F
- 2776 **Detectives.** Repealing '98 ch.64 providing for appointment and duties of state detectives. Del. 103, 12 Mr
- 2777 Governor to appoint 2 state detectives; term 4 years; powers and duties; salary \$1200. Del. 104, 15 Mr
- 2778 Attorney general may expend in arresting criminals \$1500 for detectives. Me. 162, 1 Mr
- 2779 **Bail.** Criminal court judges to fix amount of bail in actions on capias; sheriffs to approve bonds; sheriff's fee 75c. Fla. 37, 30 Ap

- 2812 Referring to next legislature constitutional amendment providing that discharge of jury for failure to agree or other necessary cause shall not work acquittal. Pa. p.883
- 2813 Appeals. Appeal to supreme court on part of person convicted of misdemeanor by circuit court to be granted when bond is given for appearance. Ark. 189, 23 My
- 2814 Amending G.S.'94 §5113 relating to appeals from justice's court in criminal cases. Minn. 24, 8 Mr
- 2815 Appeal in criminal case to have effect of stay of execution; prisoner sentenced to life imprisonment to be kept in close confinement till appeal is decided by supreme court. Amending '99 ch.32. N. M. 93, 21 Mr
- 2816 Appeals to supreme court in cases other than capital or life imprisonment not to act as supersedeas. Tenn. 102, 15 Mr
- 2817 Amending Crim.P.'95 §889 relating to bonds in appeals to county court. Tex. 124, 19 Ap
- 2818 Amending R.S.'99 §5422-26 relating to proceedings in error in criminal cases. Wy. 63, 16 F
- 2819 Miscellaneous procedure. Allowing jury trial when contempt is not committed in presence of judge. Amending '87 p.97. Col. 44, 27 Ap
- 2820 Offenses committed by state, county and municipal officials in discharge of duties to be prosecuted within 2 years after retirement from office. Fla. 31, 22 My
- 2821 Sentence. Execution. (See also Sentence, parole, 4204) Execution of convict in case of rape to be public. Amending S.'94 §2302. Ark. 58, 21 Mr
- 2822 Death penalty for assault by life convict with deadly weapon. Cal. 12, 14 F
- 2823 Restoring death penalty; jury to fix penalty for murder at death or life imprisonment; regulations for execution of death sentence. Amending Ann.S.'91 §1176. Repealing '97 ch.35. Col. 64, 2 My
- 2824 Sentence for felonies, except treason, murder, rape and kidnapping. Amending '99 p.142. Ill. p.146, 10 My
- 2825 Warden of state prison at Michigan City to execute death sentence [formerly convicts from southern counties executed at Jeffersonville prison]; execution to take place within 100 days after conviction as court may decide. Amending '89 ch. 94. Ind. 2, 28 Ja
- 2826 Convicts sentenced to death to be confined in county jail till within 10 days of week of execution; to be taken to state prison and confined in special cell; physicians, family and minister approved by warden may visit prisoner. Amending '98 ch.326. Mass. 520, 18 Je
- 2827 State penitentiary warden or deputy warden to execute death penalty; execution to take place in penitentiary; regulations. Repealing Crim.C.'99 §546-57, 651-64. Neb. 105, 29 Mr
- 2828 Execution of death sentence to be not under 60 nor over 90 [formerly not over 60] days from judgment; warden of state prison to perform duties formerly assigned to sheriff; witnesses of execution; resignations. Amending '61 ch.104. Nev. 52, 13 Mr

- 2829 Execution of capital offenders to be private. Amending C.'83 §1243. N. C. 215, 20 F
- 2830 Prisoner sentenced to death to be removed from county jail to prison within 5 days. Amending R.S.'98 §2273. U. 38, 13 Mr
- 2831 Repealing Ballinger's S. §6993, 6995 relating to contents and return of death warrant. Wash. 1, 12 Je
- 2832 Clerk of trial court to issue death warrant appointing day of execution; duties of sheriff; regulations. Wash. 9, 24 Je
- 2833 Justice of peace not to impose fine over \$100 nor imprison for over 33 days; when sentence is both fine and imprisonment period of imprisonment at \$3 a day with fine not to exceed \$100. Amending Ballinger's Codes '97 §4683. Wash. 35, 28 F
- 2834 Amending Ballinger's Codes '97 §6993, 6995 relating to contents and return of death warrant and place of execution. Wash. 63, 8 Mr
- 2835 Fines. Costs. State to pay costs of committing magistrate and constable, and fees of witnesses on preliminary trials when defendant is sentenced to penitentiary or hard labor. Ala. p.157, 28 F
- 2836 Fines for violation of state law or city ordinance to be paid to county or city treasurer respectively. Amending Pen.C. §1457, 1570. Cal. 71, 28 F
- 2837 Same costs to be taxed in search and seizure as in civil cases. Ct. 118, 3 Je
- 2838 Repealing R.S.'99 §2862 requiring fines to go to criminal cost fund. Mo. p.141, 20 F
- 2839 Regulating payment of magistrates' fees in criminal cases. Supplementing '98 ch.237. N. J. 88, 21 Mr
- 2840 Fines for violation of town laws and ordinances to be paid into treasury for municipal uses. N. C. 128, 21 F 99. *Unconstitutional*. Fines to go to common school fund. Board of education v. Town of Henderson, 36 S. E. 158.
- 2841 County treasurers to keep record of cases before magistrates, giving title of case, offense and fine. S. C. 428, 20 F
- 2842 Repealing R.S.'99 §5185-87 providing for payment by state of costs in criminal cases with 20 defendants not all from same county. Wy. 96, 19 F
- 2843 Prisoners. Custody. Transportation. (*See also* Convicts, 4199) Defendant charged with misdemeanor or felony other than capital may elect to perform hard labor; if acquitted, to receive payment. Amending C.'96 §5239. Ala. p.152, 1 Mr
- 2844 Amending '85 ch.262 providing for payment of expense of sheriff in transporting prisoner from one county to another. N. C. 64, 2 F
- 2845 Provision for separate cars for white and colored races not to apply to transportation of prisoners. Amending '00 ch.228. Va. 169, 15 F

## Crimes and punishments

(See also Order and decency, 133; also various special offenses under subject)

- 2846 Amending P.S.'82 ch.203 §76-83, 85-87 relating to offenses against property. Mass. 268, 10 Ap
- 2847 Punishment for misdemeanor when penalty not specified. Amending R.S.'99 §1990. Mo. p.129, 1 Mr
- 2848 Repeal of criminal statutes not to affect prior offenses. Wash. 6, 13 Je
- 2849 Homicide. Amending R.S.'92 §2378 making homicide justifiable in defense of relatives, guardians and wards. Fla. 83, 30 My
- 2850 Person administering drug or using instruments to destroy fetus of pregnant woman guilty of manslaughter in 2d degree. Amending R.S.'99 §1825. Mo. p.127, 9 Mr
- 2851 Penalty for manslaughter imprisonment for life or not under 1 [formerly 7] year or fine not over \$1000. Amending S.'94 §4887. Vt. 99, 13 N 00
- 2852 Rape. Maximum punishment for rape of female over 16, 30 years in state prison. Amending G.S.'88 §1406. Ct. 54, 8 My
- 2853 Capability of person to commit rape to be determined by jury. Fla. 80, 17 My
- 2854 Amending '95 art.2 §1 relating to definition of rape. Okl. 13 art.5, 28 F
- 2855 Fixing age of consent for females at 18 [formerly 16]; evidence of reputation for want of chastity admissible only when female is over 14 [formerly 12]. Amending '93 ch.129. Tenn. 19, 27 Mr
- 2856 Death or life imprisonment at discretion of jury for carnal knowledge of female under 14 [formerly 12]. Amending C.'99 ch.144 §15. W. Va. 101, 23 F
- 2857 Other sexual crimes. (See also Order and decency, 133) 1 to 10 [formerly not over 2] years imprisonment and \$5000 fine for carnal knowledge of female under feigned promise of or pretended marriage. Amending S.'94 §1900. Ark. 60, 22 Mr
- 2858 Felony to commit lewd or lascivious acts with children under 14. Adding §288 to Pen.C. Cal. 204, 23 Mr
- 2859 10 years imprisonment for attempt at indecent assault on girl under 16. Ct. 29, 16 Ap
- 2860 10 years imprisonment for indecent assault. Amending '93 ch.12, '99 ch.61. Ct. 59, 14 My
- 2861 Imprisonment not over 10 years [formerly 12 months] or fine not over \$2000 [formerly \$500] or both for carnal knowledge of unmarried female under 18 [formerly 16]. Amending R.S.'92 §2598. Fla. 81, 31 My
- 2862 Amending Crim.C. §200 as to penalty for carnal knowledge of insane or feeble-minded woman. Neb. 101, 30 Mr
- 2863 Abolishing age limit in definition of seduction. Amending Crim.C. §207. Neb. 102, 30 Mr
- 2864 1 to 10 years imprisonment for taking away or detaining female under 14 [formerly 12] with intent to marry or defile. Amending C.'99 ch.144 §16. W. Va. 101, 23 F

- 2865 *Imprisonment or fine for indecent exposure.* Amending S.'98 §4588. Wis. 80, 23 Mr
- 2866 *Burglary.* Burglary and grand larceny may be charged in one indictment. Amending S.'94 §2078. Ark. 11, 16 F
- 2867 Breaking into vacant house and removing lead pipe is burglary in 2d degree. Adding §1887a to R.S.'99. Mo. p.128, 19 Mr
- 2868 10 [formerly 4] years maximum imprisonment for breaking or entering building with intent to commit felony. Amending '63 ch.526. Pa. 16, 13 Mr
- 2869 20 [formerly 5] years imprisonment for feloniously breaking and entering house, vessel or car. Amending S.'98 §4409. Wis. 86, 23 Mr
- 2870 *Larceny.* Reducing minimum penalty for horse stealing or receiving stolen horse to 1 [formerly 5] year imprisonment. Amending S.'94 §1701-2. Ark. 21, 23 F
- 2871 Stealing bicycle is grand larceny. Amending Pen.C. §487. Cal. 126, 14 Mr
- 2872 Stealing bicycle is grand larceny; penalty. Col. 66, 17 Ap
- 2873 Penalty for stealing poultry 2 years [formerly 6 months] imprisonment or \$100 [formerly \$50] fine or both. Amending G.S.'88 §1451. Ct. 58, 14 My
- 2874 \$50 [formerly \$200] reward for arrest and conviction of horse thief. Amending '97 ch.144. Minn. 212, 10 Ap
- 2875 Amending Crim.C. §119 as to penalty for petit larceny. Neb. 98, 29 Mr
- 2876 Regulating arrest and punishment of professional thieves, burglars and pickpockets; penalty for frequenting public places for unlawful purpose 90 days imprisonment. Pa. 244, 7 Je
- 2877 Larceny of bicycles to be punishable same as larceny of live stock. S. C. 436, 20 F
- 2878 \$1000 fine or 5 years imprisonment or both for larceny from person. Wash. 34, 28 F
- 2879 *Embezzlement.* Informing officer may charge total taken by embezzler as taken at same time, when unknown whether taken at same or different times. Ct. 23, 11 Ap
- 2880 Misdemeanor for executor, justice of peace, constable or attorney to misappropriate funds; penalty; not to impair civil action. Del. 213, 9 Mr
- 2881 Part ownership by accused no defense in prosecution for embezzlement; exceptions. Amending R.C.'99 §7464. N. D. 82, 7 Mr
- 2882 *Defrauding hotel keepers.* \$100 or 30 days imprisonment for defrauding hotel, inn or boardinghouse keepers. Okl. 13, art.7, 28 F
- 2883 Misdemeanor to defraud hotel keepers; obtaining lodging or food by false pretense or attempt to remove baggage presumptive evidence of fraud. S. D. 136, 8 Mr
- 2884 *Trespass.* Malicious mischief. Penalty for wilful injury to private building \$500 [formerly \$100] fine or imprisonment for 1 year [formerly 6 months] or both. Amending G.S.'88 §1444. Ct. 93, 29 My

- 2885 Amending R.S.'83 ch.127 §5, 7, 9, 16, 17 by defining and fixing punishment for *wanton* or malicious mischief. Me. 242, 21 Mr
- 2886 20 years imprisonment or \$1000 fine for malicious injury to buildings, vessels, dams or reservoirs by explosives. Vt. 100, 23 N 00
- 2887 Vagrancy. Tramps to be imprisoned for not under 30 [formerly 60] days. Amending R.S.'83 ch.128 §17. Me. 150, 26 F
- 2888 Defining vagrancy; penalty. Neb. 104, 29 Mr
- 2889 Fortune tellers or like impostors, or prostitutes wandering on streets or loitering in saloons or restaurants are vagrants. Amending S.'98 §1543, 4556a. Wis. 352-53, 13 My
- 2890 Kidnaping. Penalty for kidnaping death or not under 5 years imprisonment in discretion of jury. Ala. p.145, 28 F
- 2891 Defining kidnaping; penalty imprisonment 5 to 21 years. Ark. 166, 23 My
- 2892 Life imprisonment for kidnaping. Adding §209 to Pen.C. Cal. 83, 6 Mr
- 2893 20 years imprisonment in state prison [formerly 1 year in county jail or \$500] for stealing child [formerly under 12 years]. Amending Pen.C. §278. Cal. 106, 11 Mr
- 2894 Felony to enslave or attempt to infringe personal liberty of another. Adding §181 to Pen.C. Cal. 155, 18 Mr
- 2895 Penalty for kidnaping imprisonment for not over 30 years [formerly 3 years and \$500 fine]. Amending G.S.'88 §1416. Ct. 7, 19 Mr
- 2896 Defining kidnaping; penalty death or life imprisonment. Del. 212, 2 Mr
- 2897 Felony to kidnap for ransom. Ill. p.145, 11 My
- 2898 Life imprisonment maximum penalty for kidnaping. Ind. 162, 11 Mr
- 2899 Not over 20 [formerly 5] years imprisonment for kidnaping. Amending R.S.'83 ch.118 §19. Me. 139, 8 F
- 2900 25 years imprisonment for kidnaping. Amending P.S.'82 ch.202 §30. Mass. 428, 23 My
- 2901 Age under which detention of child constitutes kidnaping 16 [formerly 12] years; Hmlt of penalty for kidnaping 20 [formerly 10] years imprisonment. Amending G.S.'94 §6467. Minn. 14, 26 F
- 2902 Penalty for kidnaping for ransom death or imprisonment at option of jury. Mo. p.133, 9 Mr
- 2903 Person detaining another against will or against will of parent, or detaining child under 18 [formerly 15] with intent to conceal from parent, guilty of kidnaping. Amending Pen.C. §380. Mon. p.169, 11 Mr
- 2904 Penalty for kidnaping imprisonment for life; for injury to person kidnaped, death or imprisonment for life; for threat to kidnap, imprisonment 1 to 20 years. Amending Crim.C.'99 §18. Neb. 88, 30 Mr
- 2905 Penalty for kidnaping child under 18 [formerly 10] 1 to 20 [formerly 7] years imprisonment. Amending Crim.C.'99 §20. Neb. 89, 30 Mr



- 2906 Penalty for kidnaping 5 to 20 [formerly 1 to 10] years imprisonment; for poisoning wells and springs 5 to 20 [formerly 1 to 10] years. Amending '61 ch.28. Nev. 46, 12 Mr
- 2907 5 to 30 years imprisonment for kidnaping. N. H. 44, 28 F
- 2908 Maximum penalty for kidnaping 20 years imprisonment. N. C. 699, 14 Mr
- 2909 Penalty for kidnaping 5 to 20 [formerly 1 to 10] years imprisonment; term defined. Amending R.C.'99 §7110. N. D. 115, 8 F
- 2910 Imprisonment not over 10 years for kidnaping. Okl. 13 art.3, 8 Mr
- 2911 Penalty for kidnaping child under 16 [formerly 12] imprisonment 1 to 25 years [formerly 6 months to 10 years] or \$10,000 [formerly \$5000] fine. Amending Hill's Ann.L. §1747. Or. p.123, 25 F
- 2912 Life imprisonment maximum penalty for kidnaping; for aiding or abetting, \$5000 fine and 25 years imprisonment. Pa. 33, 4 Ap
- 2913 Kidnaping cases to be tried only in courts of oyer and terminer and general jail delivery. Pa. 300, 2 Jl
- 2914 Life imprisonment maximum penalty for kidnaping. S. D. 171, 8 Mr
- 2915 20 years maximum penalty for kidnaping. Tenn. 31, 9 Ap
- 2916 \$5000 fine or 21 years imprisonment for kidnaping. Amending Ballinger's Codes'97 §7049. Wash. 59, 7 Mr
- 2917 Train robbery. Train robbery and wrecking may be punished by imprisonment at hard labor for 21 years. Ark. 207, 23 My
- 2918 Felony to rob or attempt to rob trains. Kan. 174, 2 Mr
- 2919 Defining train robbery; penalty imprisonment for life or not under 10 years; if death results person guilty of murder in 1st degree. Neb. 86, 30 Mr
- 2920 Miscellaneous crimes. Misdemeanor to violate labor contract or contract to lease, rent or cultivate land. Ala. p.131, 1 Mr
- 2921 Unlawful to entice away servants, laborers, *renters* or *share-croppers* under written contract. Amending C.'96 §5505. Ala. p.133, 2 F
- 2922 Misdemeanor to ride or drive faster than walk over bridge more than 30 feet long. Ark. 36, 7 Mr
- 2923 Misdemeanor to use horse or mule without consent of owner. Ark. 218, 23 My
- 2924 Penalty for false imprisonment \$5000 [formerly \$500]; if caused by violence, menace, fraud or deceit, 10 years imprisonment. Amending Pen.C. §237. Cal. 49, 27 F
- 2925 Misdemeanor [formerly felony] to injure books of libraries or objects in museums. Amending Pen.C. §623. Cal. 84, 6 Mr
- 2926 Felony to burn structures or property not subject to arson. Amending Pen.C. §600. Cal. 105, 11 Mr
- 2927 25 [formerly 10] years imprisonment for arson in 2d degree. Amending Pen.C. §455. Cal. 225, 23 Mr
- 2928 5 years imprisonment for attempt to burn buildings or vessels. Amending G.S.'88 §1432-34. Ct. 38, 24 Ap

- 2929 For wife-beating husband may be whipped, fined or imprisoned in discretion of court [formerly to be whipped]. Del. 204, 22 F
- 2930 Felony to shoot firearms at or into dwellings or steamboats; penalty 20 years imprisonment. Fla. 103, 30 Ap
- 2931 Felony to shoot or throw missiles into dwellings, occupied buildings, cars or vehicles; penalty. Fla. 104, 17 My
- 2932 Felony to threaten personal violence or injury to property with intent to extort money. Amending R.S.'99 ch.38 §93. Ill. p.144, 9 My
- 2933 Hazing misdemeanor; definition; penalty. Ill. p.145, 10 My
- 2934 Misdemeanor to personate or wear insignia of members of lodges. Ill. p.146, 11 My
- 2935 Felony to make false statement of valuation to obtain credit. Ind. 66, 5 Mi
- 2936 Maximum penalty for shooting human being while hunting 10 years imprisonment or \$1000 fine; maximum penalty for failure to prosecute violations of act \$1000 or removal from office. Me. 263, 22 Mr
- 2937 Amending Crim.C.'90 §17 as to penalty for assault and battery. Neb. 87, 29 Mr
- 2938 Amending Crim.C. §28 as to penalty for rioting, obstructing authorities or refusal to disperse. Neb. 90, 29 Mr
- 2939 Amending Crim.C. §30 as to penalty for resisting or abusing officers. Neb. 91, 29 Mr
- 2940 Blackmail to threaten to accuse person of crime, to injure person or property with intent to extort money; penalty. Repealing Crim.C. §46. Neb. 92, 20 Mr
- 2941 Defining blackmail, extortion and kindred felonies; penalties. Neb. 93, 30 Mr
- 2942 Amending Crim.C. §65 as to penalty for maliciously killing or injuring animals of value under \$35. Neb. 94, 29 Mr
- 2943 Proceedings against passengers for defrauding railroad company may be before any justice of peace, recorder, police justice or police court where offender may be arrested. Supplementing G.S.'95 p.2668 ¶18-19. N. J. 53, 19 Mr
- 2944 Penalty for burglary, rape, robbery, sodomy, atrocious assault or assault with intent to kill \$3000 fine or 12 years imprisonment or both. N. J. 136, 22 Mr
- 2945 Misdemeanor to tamper with boiler, engine or machinery. N. C. 733, 15 Mr
- 2946 Misdemeanor to slander females; term defined. N. D. 175, 7 Mr
- 2947 10 years imprisonment for shooting at person with intent to kill. Amending S.'93 ch.25 art.20 §2. Okl. 13 art.1, 8 Mr
- 2948 \$500 fine or 6 months imprisonment or both for forging name to petition. Okl. 13 art.2, 8 Mr
- 2949 5 years imprisonment or \$1000 fine for poisoning domestic animals. Or. p.159, 27 F
- 2950 Defining crime of giving drugs, narcotics or anesthetics to person by mixing with food or drink; penalty \$5000 and 10 years imprisonment. Pa. 73, 24 Ap

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- 2951 Defining and punishing bribery of burgesses and soliciting bribes; penalty \$5000, 5 years imprisonment and disqualification for office. Pa. 87, 2 My
- 2952 Amending R.S.'93 vol.2 §165 as to penalty for injury to personal property. S. C. 431, 15 F
- 2953 Perjury on trial of indictment or information for felony punishable by imprisonment 1 to 20 [formerly not under 10] years. Amending Ann.S.'90 §7618. S. D. 179, 5 Mr
- 2954 Receiving stolen property worth not over \$20 punishable by imprisonment not over 30 days [formerly 5 years] or fine not over \$100 [formerly \$250] or both. Amending C.L.'87 §6798. S. D. 194, 1 F
- 2955 Misdemeanor fraudulently to exceed specified time or distance with horse or buggy hired from livery stable, or hire under fictitious name or without knowledge of owner for another person; owner only may prosecute. Tenn. 4, 4 F
- 2956 Defining infernal machine; felony to send, construct or possess; place of prosecution. U. 96, 14 Mr
- 2957 Persons wilfully or carelessly damaging livery property liable to criminal and civil action. W. Va. 24, 22 F
- 2958 Unlawful to shoot in public road. Amending C.'90 ch.62 §213. W. Va. 89, 6 F
- 2959 Unlawful to receive, remove out of county or otherwise dispose of property with intent to defraud; rights of creditors not affected. Amending C.'90 ch.145 §23. W. Va. 90, 20 F
- 2960 Misdemeanor to advise committing or attempting to commit felony. Adding §4385a to S.'98. Wis. 34, 8 Mr
- 2961 Shooting firearms into railroad or street railway cars is assault with intent to do great bodily harm. Wis. 84, 23 Mr
- 2962 Felony to administer anesthetics with intent to commit felony. Wis. 231, 26 Ap
- 2963 Defining breach of peace and fixing penalty. Wy. 94, 19 F

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(See also Political regulations, 719; Finance, 1346; Courts, 2209; and special subjects, Education, Charities, etc.)

### General

- 2964 Public officers. Councilmen, aldermen, assemblymen and county commissioners not to hold other offices except elective ones or those to which judge of court of record appoints. Minn. 378, 13 Ap
- 2965 Officers and employees of eleemosynary institutions and members of police and election boards not to be interested in contracts for work or supplies. Mo. p.186, 11 Mr
- 2966 On application of person aggrieved governor to order prosecution on bond of public official. N. J. 19, 2 Mr
- 2967 Providing for defense of officers or persons prosecuted in federal courts for acts committed in performance of state duties. N. C. 181, 18 F

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- 2968 Repealing C. §1000 relating to indictment and removal of officers failing to discharge duties. N. C. 270, 26 F
- 2969 Misdemeanor for state or county officer to appropriate allowance made for clerk hire. N. D. 51, 12 Mr
- 2970 Misdemeanor to assume duties of office without giving bond; penalty; certified copies evidence in suit; regulations as to recording and filing. S. C. 437, 8 F
- 2971 Referring to next legislature constitutional amendment; governor to hold office 4 [formerly 2] years and be eligible 8 in 12 [formerly 6 in 8] years; sheriffs, registers and county trustees to be elected for 4 [formerly 2] years and ineligible to succeed themselves [formerly sheriffs eligible 6 years in 8 and trustees indefinitely]; treasurer and controller to be elected by voters of state for 4 years [formerly appointed by general assembly for 2 years]. Tenn. p.1252, 19 Ap
- 2972 State board of examiners to approve bonds when no provision is made therefor. U. 39, 14 Mr

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Officers and departments. (See also Elections, 735; Legislature, 908; and special officers under specific heads, Charities, Railways, etc.)

- 2973 Appointment. Terms. Vacancies in offices filled by appointment by governor and senate, or by legislature; when occurring during recess of legislature may be temporarily filled by governor. Amending P.C. §1000. Cal. 120, 13 Mr
- 2974 Submitting constitutional amendment providing for election of governor, lieutenant-governor, secretary, treasurer, controller and attorney general by plurality [formerly majority] vote. Adopted October 1901. Ct. 179, 17 Je
- 2975 1 servant for departments of public instruction and attorney general and 1 for state librarian. Amending C.'83 §3732. N. C. 624, 13 Mr
- 2976 Certain state officers to be elected annually at January [formerly May] session of assembly; term to begin Feb. 1; vacancy in office of state auditor, inspector of beef and pork, lime, scythe stones or cables to be filled by appointment by governor. Amending G.L.'96 ch.24 §6. R. I. 809 §2, 29 Ja
- 2977 Repealing G.L.'96 ch.34 §41-42 providing for messenger and watchman for state offices. R. I. 809 §8, 29 Ja
- 2978 Officers appointed by governor with consent of senate may be removed by same authorities. R. I. 809 §64, 29 Ja
- 2979 Secretary of state to appoint 2 messengers for state offices; salary not over \$1000. R. I. 816, 19 F
- 2980 Governor, lieutenant-governor, secretary of state, attorney general and general treasurer to be elected annually by ballot; duties of state returning board; election by assembly or appointment to fill vacancies; procedure. R. I. 826, 7 Mr
- 2981 Public officers to take oath and be commissioned by governor; fees; report of secretary of state. S. C. 441, 19 F

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SUMMARY OF LEGISLATION 1901 1007

- 2982** Governor may remove state officers not liable to impeachment. S. D. 192, 25 F
- 2983** Submitting constitutional amendment regulating election of state officers; governor ineligible for reelection for 4 years. *Vote November 1902.* W. Va. 153, 22 F
- 2984** **Civil service.** Civil service commission may notify disbursing officer of person employed in classified public service in violation of rules; payment after notice illegal; attorney general may bring action. Mass. 512, 14 Je
- 2985** **Fees. Salaries.** Salary of stenographer for governor and secretary of state \$600 [formerly \$350]. Amending '98 ch.65. Del. 72, 25 F
- 2986** Salary of superintendent of public instruction \$3000 [formerly \$2500]. Ind. 77, 15 Mr
- 2987** Salary of chief clerk of state school superintendent not over \$2000 [formerly \$1500]. Amending R.S.'99 §9857. Mo. p.245, 1 Mr
- 2988** Amending '97 ch.413 §19, 37 as to payments into state treasury by state officers, employees, boards, departments or commissions. N. Y. 457, 22 Ap
- 2989** Classifying and fixing salaries of clerks and employees in service of state. N. Y. 521, 24 Ap
- 2990** State or deputy state officers required to pay into treasury profits arising from office; to keep record of fees; to report to state treasurer *monthly* [formerly quarterly]; *penalty.* Amending R.C.'99 §327. N. D. 95, 7 Mr
- 2991** Salary of governor and supreme court judges \$3000; circuit court judges \$2500; in circuit of under 5000 square miles and under 54,000 population \$2000. S. D. 110, 1 F
- 2992** State officers to pay to state treasurer all money received as fees or perquisites. S. D. 127, 8 Mr
- 2993** Fixing salaries of state officers; governor \$4000, secretary of state \$3000, state treasurer \$1500, state auditor \$2000, attorney general \$2000, superintendent of public instruction \$1800; paid quarterly. U. 73, 14 Mr
- 2994** Submitting constitutional amendment requiring fixed salaries to be paid to state officers; fees to be paid to state treasury. *Vote November 1902.* W. Va. 153, 22 F
- 2995** Monthly statements of railroad mileage to be made by state officers; secretary of state to give order for refund of money paid for mileage ticket. Wis. 426, 14 My
- 2996** **Reports.** Secretary of state, clerk of supreme court and state librarian to make biennial report. Nev. 69, 19 Mr
- 2997** Biennial reports to governor, secretary of state or legislature to include transactions to *Oct. 1* [formerly Jan. 1] preceding. Amending Hill's Ann.L. §2227-28. Or. p.273, 27 F
- 2998** State officers, heads of bureaus and boards of control of charitable, educational and penal institutions to make biennial report of receipts and expenditures to governor; report of state

- officers, heads of bureaus, regents of university and normal schools to show annual expense of conducting office or institution for preceding 6 years. **Wis.** 97, 28 Mr
- 2999 Governor. In case of disability of governor or absence from state over 20 days his duties devolve on president of senate and speaker of house successively. **Ala.** p.21, 19 N, 58, 10 D 00
- 3000 Oath may be administered to governor *at any place in state* [formerly in presence of both houses of general assembly]. Amending C.'96 §1953. **Ala.** p.21, 22 N 00
- 3001 Governor's contingent fund \$500. **Del.** 74, 2 Mr
- 3002 Governor may employ extra clerks at salary not over \$1200. **Mich.** 6, 5 F
- 3003 Governor's salary \$4000 [formerly \$3000]. Amending C.'83 §3720. **N. C.** 8, 14 Ja
- 3004 Governor's salary for supervising penitentiary \$500 [formerly \$200] and traveling expenses. Amending Hill's Ann.L. §3860. **Or.** p.291, 27 F
- 3005 Secretary of state. (*See also* Public documents and printing, 979) 2 extra clerks for office of secretary of state. **Cal.** 110, 12 Mr
- 3006 Contingent fund of secretary of state \$800; committee of assembly to audit accounts. **Del.** 75, 5 Mr
- 3007 Fees of secretary of state. Amending P.C. ch.6 §196. **Id.** p.141, 11 Mr
- 3008 Salary of secretary of state \$3000 [formerly \$2500]. Amending '99 ch.104 §1. **N. H.** 65, 14 Mr
- 3009 \$1000 annually for indexing records in office of secretary of state. **N. H.** 123, 13 F
- 3010 Secretary of state may appoint assistant to help prepare indexes, side notes and captions of laws. Amending '99 ch.251. **N. C.** 27, 26 Ja
- 3011 Amending R.C.'99 §95 prescribing fees of secretary of state. **N. D.** 93, 7 Mr
- 3012 Referring to next legislature constitutional amendment providing that secretary of state be *elected by qualified voters* [formerly appointed by joint vote of general assembly]. **Tenn.** 73, 22 Ap
- 3013 Amending R.S.'98 §965 as to fees of secretary of state. **U.** 60, 14 Mr
- 3014 Secretary of state at opening of biennial session of legislature to prepare and deliver to each member statement of receipts and expenditures for 2 preceding, and estimates for 2 succeeding years. **Wis.** 368, 13 My
- 3015 State treasurer. (*See also* State finance, 1346; specially Accounts, 1376) Salaries of clerks in office of treasurer and receiver general. **Mass.** 211, 27 Mr
- 3016 \$1000 for treasurer to secure portraits of treasurers of commonwealth since revolution. **Mass.** r.91, 6 Je
- 3017 Salary of state treasurer \$2500 [formerly \$1800]. Amending P.S.'01 ch.286 §5. **N. H.** 56, 7 Mr
- 3018 State treasurer to keep cashbook, ledger, daily balance book and others prescribed by state examiner; books and blanks furnished by state and kept as permanent record. **N. D.** 174, 8 Mr

- 3019 State treasurer may appoint clerks and stenographers for his office. Amending Hill's Ann.L. §2225. Or. p.159, 27 F
- 3020 Monthly report of state treasurer to be published in 6 [formerly 2] newspapers to be selected by attorney general. Amending '74 ch.60. Pa. 312, 9 JI
- 3021 State treasurer to report to assembly *by 20th day of January session* [formerly 10th day of adjourned session in Providence]. Amending G.L.'96 ch.33 §11. R. I. 809 §5, 29 Ja
- 3022 State treasurer's office to be in statehouse; to close at 12 m. Saturdays. Amending G.L.'96 ch.33 §2. R. I. 852 §7, 29 Mr
- 3023 Town and city treasurers to make returns of state moneys to state treasurer semiannually, *January and July 10* [formerly June and December]. Amending G.L.'96 ch.102 §64. R. I. 852 §13, 29 Ja
- 3024 State auditor. Controller. (*See also* State finance, 1346; specially Accounts, 1875) During disability of auditor of accounts 1st clerk to act as deputy. Mass. 157, 14 Mr
- 3025 State officers constituting board of state auditors to receive annually \$1800 each in place of traveling expenses. Amending C.L.'97 §169-70. Mich. 171, 27 My
- 3026 Salary of deputy controller \$4500 [formerly \$4000]; 2d deputy controller \$4000; during disability of controller, deputy may perform all duties except serve as member of constitutional board; controller may by written notice designate either deputy to sign warrants and audit accounts. Amending '92 ch.683 §31. N. Y. 40, 27 F
- 3027 State auditor to report to assembly *by 20th day of January session* [formerly 10th day of adjourned session in Providence]. R. I. 809 §7, 29 Ja
- 3028 State auditor's office to be in statehouse; close at 12 m. Saturdays. Amending G.L.'96 ch.34 §2. R. I. 852 §8, 29 Mr
- 3029 "State auditor" means "auditor of accounts." Vt. 10, 27 N 00
- 3030 \$500 annually for clerical assistance to state auditor; necessary traveling expenses paid. Vt. 11, 27 N 00
- 3031 Attorney general. Attorney general to give written opinion to superintendent of public instruction on request. Amending P.C.'90 §470. Cal. 40, 26 F
- 3032 Contingent fund of attorney general for criminal prosecutions \$1000; warrants to be approved by judge of general sessions court; annual settlement with state auditor. Repealing '87 ch.236. Del. 76, 15 Mr
- 3033 \$500 for expenses of attorney general in courts outside state. Amending R.S. §250. Id. p.162, 11 Mr
- 3034 \$6000 [formerly \$3000] annually for salaries of clerks in attorney general's office. Amending C.L.'97 §115. Mich. 150, 22 My
- 3035 Attorney general to appoint assistant attorney general for 4 years at \$2500; office of chief clerk abolished. Mo. p.47, 16 Mr
- 3036 Attorney general to appoint 2 assistants; salaries \$2000 and \$1800. Mon. p.96, 9 Mr

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- 3037 Attorney general to defend suits in which rights of citizens of state in public waters and lands are sought to be restrained or abrogated. N. H. 121, 13 F
- 3038 Attorney general to keep record of actions prosecuted by state's attorneys in which state is party. Amending R.C.'99 §119. N. D. 24, 11 Mr
- 3039 Attorney general to give legal advice to state officers, defend and prosecute actions in which state is interested and consult with district attorneys. Amending '91 p.188. Or. p.130, 25 F
- 3040 Attorney general to make biennial report to governor; 1000 copies to be printed and distributed. Wis. 94, 28 Mr
- 3041 Attorney general to compile opinions of attorneys general since organization of state government; to be published in public documents. Wis. 161, 12 Ap
- 3042 Miscellaneous officers. State board of examiners may appoint 4 clerks for secretary; salaries \$1600 and \$1200. Amending P.C. §685. Cal. 256, 25 Mr
- 3043 Submitting constitutional amendment; 5 commissioners elected for 10 years at \$6000 a year; to establish rates for railroad, gas, electric light, water, telephone, telegraph, sleepingcar and express companies; judicial powers to hear and investigate complaints; to license public service corporations and fix fee to defray expenses of commission; to perform duties of present railroad, banking and insurance departments. Vote November 1902. Cal. p.962, 16 Mr
- 3044 State referees; duties; salary \$2000; expenses \$500. Amending '93 ch.91. Ct. 9, 19 Mr
- 3045 \$1800 for clerk hire in adjutant general's office. Me. 249, 21 Mr
- 3046 Governor [formerly board of internal improvements] to fill vacancies in corporation commission. Amending '99 ch.164 §1. N. C. 194, 18 F
- 3047 Governor to fill vacancies in board of internal improvements. Repealing '99 ch.68. N. C. 252, 26 F
- 3048 Governor may appoint special state examiner; powers; compensation. Amending R.C.'99 §144a. N. D. 171, 13 Mr
- 3049 State superintendent of public instruction to have been resident of state or territory 5 years; may appoint deputy at \$400 [formerly \$300]. Amending R.S.'98 §1774. U. 54, 14 Mr
- 3050 \$300 for clerk for adjutant and inspector general. Vt. 70, 27 N 00
- 3051 State examiner of accounts to give \$20,000 bond; \$100 for premium if furnished by surety company. Wy. 88, 19 F

Miscellaneous

- 3052 Boundary. Governor to appoint 3 commissioners to confer with commissioners representing Florida and provide for annexation of West Florida; powers. Ala. p.192, 4 Mr
- 3053 Defining eastern boundary of state. Cal. 73, 1 Mr
- 3054 Governor to appoint commissioner to act with commissioner for New Mexico and fix southern boundary of state; report to be state record; compensation \$10 a day; \$4000. Col. 37, 11 Ap
- 3055 Fixing boundary between Massachusetts and New York. Mass. 374, 8 My



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- 3056** Governor to appoint commission of 3 to act with like commission from Iowa and agree on boundary line between states; \$10 and expenses for not over 30 days; \$2000; governor not to appoint till Iowa has passed like act. Similar acts as to line between Nebraska and Missouri and Nebraska and South Dakota. Neb. 12-14, 29 Mr
- 3057** Fixing boundary between New Hampshire and Massachusetts. N. H. 115, 22 Mr
- 3058** Fixing boundary between Massachusetts and Vermont by adoption of survey made by joint surveyors; description of line. Vt. 137, 15 N 00
- 3059** Providing for ascertaining, retracing, remarking and reestablishing boundary line between Virginia and Tennessee. Va. 178, 15 F
- 3060** Immigration. Repealing R.C.'99 §131a, appropriating \$500 annually to promote immigration. N. D. 22, 6 Mr
- 3061** Capitol. \$1000 for dedicating capitol. Ari. R.S.'01 p.1447, 11 F
- 3062** Providing for care and maintenance of capitol building and grounds by tax of 3¼c on \$100 for 1901-2. Ari. R.S.'01 p.1463, 9 Mr
- 3063** Governor to appoint 4 commissioners to superintend completion of capitol; to be ex-officio chairman; compensation \$5 a day; powers. Repealing '99 ch.128. Ark. 132, 29 Ap
- 3064** \$1500 for drinking fountains in state capitol grounds. Cal. 139, 15 Mr
- 3065** Governor, controller and 3 persons appointed by governor to be capitol improvement commission; governor to be chairman and controller secretary; to supervise enlargement and repair of capitol and let contracts to lowest bidder; \$75,000. Fla. 9, 24 My
- 3066** \$7500 for purchase of site and \$37,000 for removal of heat, power and electric plant outside capitol. Kan. 12, 2 Mr
- 3067** \$3,000,000 [formerly \$2,000,000] for new capitol. Amending '93 ch.2-3; '95 ch.118; '97 ch.96; '99 ch.232. Minn. 168, 6 Ap
- 3068** \$400 for arms and burglar alarms in capitol. Nev. 2, 11 F
- 3069** Commissioner of public lands and 2 other qualified voters appointed by governor to be capitol custodian committee; organization; duties; records of former committee to be turned over on demand of secretary. Repealing C.L.'97 §3468-72. N. M. 73, 21 Mr
- 3070** Repealing '99 ch.236 transferring selection of keeper of capitol from board of public buildings to general assembly and fixing salary at \$50 a month. N. C. 86, 5 F
- 3071** Trustees of public property to provide electric light for capitol from penitentiary; itemized report. N. D. 80, 12 Mr
- 3072** Governor and 4 appointees to be state capitol commission; to serve without salary till Jan. 1, 1906; commission to build and complete capitol at expense not over \$4,000,000; not over \$800,000 to be paid yearly. Pa. 416, 18 Jl

- 3073 Statehouse as used in laws to refer to new building in Providence; old statehouses in Newport and Providence to be used as courthouses. Amending G.L. '96 ch.27 §1.  
R. I. 852 §4, 29 Mr
- 3074 State capitol commission may buy Thurston county courthouse at Olympia for use as capitol; expense not over \$350,000; additions may be made to building.  
Wash. 45, 2 Mr
- 3075 \$25,000 for governor to instal new ventilation plant in capitol.  
Wis. 359, 13 My
- 3076 \$30,000 for government to instal electric light plant in capitol to be operated in connection with heating system.  
Wis. 369, 13 My
- 3077 \$15,000 for governor to cooperate with Madison city in paving streets round capitol.  
Wis. 406, 14 My
- 3078 Abolishing certain offices and reducing state labor force; \$6000 [formerly \$9000] annually for repairs to capitol. Amending S.'98 §170, 288, 630.  
Wis. 418-19, 14 My
- 3079 Superintendent of public property to fit up rooms in capitol for postoffice, telegraphs, telephones and typewriters.  
Wis. 452, 14 My
- 3080 Buildings. \$35,000 for erection or purchase, furnishing and maintenance of executive residence in Topeka. Kan. 7, 27 F
- 3081 Dressed or carved stone used on public works to be prepared in state. N. Y. 415 §14, 13 My 97. Unconstitutional. Contravenes federal constitution vesting in congress right to regulate interstate commerce. People v. Coler, 59 N. E. 776.
- 3082 Governor, secretary of state and state treasurer constituting public buildings commission to provide for water supply of state insane asylum, state penitentiary and state capitol; may condemn property; \$30,000.  
Or. p.307, 27 F
- 3083  $\frac{1}{8}$  mill tax on assessed valuation for erection of governor's mansion; state capitol commission to have charge. Wy. 64, 16 F
- 3084 Property. Supplies. Annual [formerly biennial] inventory of state property; penalty. Amending '97 ch.7. Cal. 78, 5 Mr
- 3085 Governor to receive grants, devises and bequests for state; attorney general to protect title.  
Mich. 145, 22 My
- 3086 Missouri stone to be given preference in erection of public buildings.  
Mo. p.53, 13 Mr
- 3087 Grants, devises, bequests, donations and assignments to state to be collected and accepted by governor.  
Nev. 19, 26 F
- 3088 State supplies to be bought of resident merchants paying license if price not over 10% advance on San Francisco rates plus freight.  
Nev. 64, 19 Mr
- 3089 In buying state supplies preference to be given Oregon products.  
Or. p.127, 25 F
- 3090 \$1000 for improvement of state soda spring; to be expended under direction of 3 trustees appointed by governor. Or. p.289, 27 F
- 3091 Governor to accept grants and report to legislature; attorney general to defend right of state.  
S. D. 134, 11 Mr

- 3092** On property sold to satisfy judgments or decrees in favor of state, state controller and treasurer on advice of attorney general to bid sum not over state's demand; treasurer to hold in trust and sell with concurrence of controller; to lease till sold.  
Tenn. 143, 18 Ap
- 3093** Superintendent of public property may contract for telephone and telegraph service in transaction of state business.  
Wis. 158, 12 Ap
- 3094**  $1\frac{1}{16}$  mill tax on property in state for improvement of state lands at Big Horn hot springs.  
Wy. 48, 16 F
- 3095** Institutions. Governor to appoint bipartisan committee of general assembly to visit and investigate state institutions; \$3 a day and expenses; to report needs of institutions to legislature.  
Ind. 53, 1 Mr
- 3096** Chairman of Marlon county commissioners, secretary of state and state treasurer to be commission to dispose of Peabody silk station; may sell, lease or make gift to U. S. agricultural department.  
Kan. 270, 25 F
- 3097** Governor to appoint board of control of state institutions; 3 members; term 6 years; salary \$3500; may elect secretary at \$2000; to supervise charitable, reformatory and penal institutions and have financial control of state educational institutions; report to legislature; board of charities and correction abolished.  
Minn. 122, 2 Ap
- 3098** Boards of control to report to governor or legislature on or before Jan. 3 every 2d year; regents of university and board of control of agricultural experiment station every year. Amending '93 ch.19.  
Nev. 33, 6 Mr
- 3099** From time to time state controller and president of state board of charities with approval of governor to classify and fix salaries and wages of officers and employees of charitable and reformatory institutions reporting to controller. Amending '97 ch.413 §17.  
N. Y. 432, 18 Ap
- 3100** Governor to appoint 3 examiners to visit state institutions; term 2 years; to examine without notice and report conditions and needs to governor.  
N. C. 424, 7 Mr
- 3101** Governor to fill vacancies in board of directors of charitable or penal state institutions when senate is not in session.  
N. C. 665, 14 Mr
- 3102** Regulating employment of counsel by state institutions; attorney general to represent institutions when practicable.  
N. C. 744, 15 Mr
- 3103** Forbidding state institutions to enlarge buildings, buy real estate or contract debts without consent of general assembly; exceptions.  
N. C. 751, 15 Mr
- 3104** Referring to next legislature amendment to constitution providing that state institutions may be located at other places than seat of government.  
Or. p.474, 22 F
- 3105** Moneys received by state institutions to be paid into state treasury for use of respective institutions same as state appropriations.  
S. D. 191, 9 Mr

- 3106 Governor and senate to appoint bipartisan state board of control of 3 members; term 6 years; salary \$2000 and expenses; board to elect secretary and fix salary; to have exclusive control of state hospitals for insane, state penitentiary, reform school, soldiers home, and school for defective youth; may appoint and remove officers and fix salaries of all except superintendents. Wash. 119, 16 Mr
- 3107 Governor may order investigation of any state institution or employee. Amending S.'98 §562a. Wis. 403, 14 My
- 3108 Submitting to electors at November 1904 election question of permanent location of seat of government, state university, insane asylum and state penitentiary; majority vote necessary to locate. Wy. 26, 13 F
- 3109 Officers in charge of state institutions to report conditions of weather under direction of section director of Wyoming; director to furnish blanks and postage. Wy. 73, 16 F
- 3110 Flag. Seal. Flower. Song. Adopting territorial anthem. Ari. R.S.'01 p.1469, 16 Mr
- 3111 Apple blossom to be state flower. Ark. p.408, 30 Ja
- 3112 Adopting U. S. flag as Indiana flag. Ind. 150, 9 Mr
- 3113 Adopting state flag. Me. 233, 21 Mr
- 3114 Changing color of state flag from buff to blue. Amending '96 ch.229. N. Y. 229, 2 Ap
- 3115 Adopting buffalo clover or blue bonnet as state flower. Tex. p.323, 7 Mr
- 3116 Governor to restore and reengrave seals of state. Wis. 364, 13 My
- 3117 State parks. Governor to appoint 4 persons for 4 years without salary; to constitute with him Redwood park commission; to secure in Big Basin land with big trees and establish park; \$250,000. Cal. 162, 16 Mr
- 3118 \$25,000 for electric light plant to illuminate falls and light hotel in Yosemite valley and improve water supply. Cal. 273, 28 Mr
- 3119 Amending '00 ch.382 relating to park on state house grounds. Mass. 525, 19 Je
- 3120 Mackinac Island state park commissioners may grant franchises for sewerage, water works and lighting for not over 30 years. Amending C.L.'97 §1259. Mich. 4, 29 Ja
- 3121 \$10,000 for improvement of Mackinac Island state park; to be repaid in 10 years by park commissioners. Mich. 88, 25 Ap
- 3122 \$5000 for additional lands at Itasca state park. Minn. 354, 13 Ap
- 3123 Increasing power of Palisades interstate park commissioners. Amending '00 ch.87. N. J. 112, 22 Mr
- 3124 5 Palisades interstate park commissioners may be residents of New Jersey; terms of office; powers. N. Y. 504, 23 Ap
- 3125 \$400,000 for buying Palisades lands; commission to furnish itemized vouchers to controller. N. Y. 690, 3 My
- 3126 \$7400 for completing Valley Forge park. Pa. 445, 18 Jl

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- 3127 Governor to appoint 3 commissioners for 4 years to secure property not over 20 acres on site of Whitman mission.  
Wash. 170, 18 Mr
- 3128 Governor to appoint 3 commissioners to continue work of securing title to lands for interstate park at dalles of St Croix; \$5 a day and expenses; regulations. Wis. 305, 6 My
- 3129 Cessions to United States. Ceding jurisdiction to United States over land in Montgomery co. to be used as experiment station for bureau of animal industry. Md. 4, 1 Ap
- 3130 Allowing acquisition by United States of tract of land on Peddocks island in Boston harbor. Mass. 232, 2 Ap
- 3131 Ceding jurisdiction to United States over tract in Passaic co. for animal quarantine station. N. J. 4, 13 F
- 3132 Consenting to acquisition by United States of lands for national forest preserve. N. C. 17, 18 Ja
- 3133 United States may purchase certain farm in Cumberland co. for instruction of Carlisle Indian school pupils; certain jurisdiction retained by state. Pa. 6, 15 F
- 3134 United States government may acquire forest reserve; state to retain concurrent jurisdiction; powers of congress. S. C. 346, 21 F
- 3135 Ceding jurisdiction to United States over offenses committed on Indian reservations. S. D. 106, 14 F
- 3136 Consenting to acquisition by United States of forest lands within 20 miles of North Carolina for national forest reserve; state to retain concurrent jurisdiction. Tenn. 47, 23 Ap
- 3137 Relinquishing to United States sections 2, 16, 32, 36 on condition that United States grant to state equal area selected by it. U. 29, 12 Mr
- 3138 Consenting to acquisition by United States of lands for national forest preserve. Va. 229, 15 F
- 3139 Ceding to United States jurisdiction over Ranier national park; retaining right to serve process. Wash. 92, 16 Mr
- 3140 Ceding certain lands to United States for military purposes; reserving jurisdiction to serve process, tax and irrigate. Wy. 30, 13 F

### County and township government

(See also Local finance, 1774; also specific functions of counties and towns—Roads, Charities, Jail, Drainage, etc.)

#### County organization

- 3141 General. Amending '97 ch.278 relating to county and township government; counties put into 57 classes and governments provided for each class; fees and salaries fixed. Cal. 234, 23 Mr
- 3142 Counties classified; fees of officers. Amending R.S.'90 ch.53 §13. Ill. p.208, 11 My
- 3143 Providing for organization of counties and exempting new counties from general taxation law. Minn. 99, 6 Ap 97. *Partly unconstitutional*. Special legislation. State v. Walker, 86 N. W. 104.

- 3144** Reclassifying counties; over 200,000 [formerly 150,000] 1st class; 50,000 to 200,000 [formerly 150,000] 2d class; 20,000 to 50,000 3d class; under 20,000 4th class. Amending G.S.'95 p.420 ¶70. N. J. 113, 22 Mr
- 3145** Counties to which unorganized counties have been attached for judicial and state purposes may counterclaim in all actions brought by state amount paid by them for such purposes. S. D. 91, 28 F
- 3146** Counties over 20,000 not divided into civil townships, to elect 8 justices of peace and constables; commissioners to divide counties into districts; 1 justice and 1 constable to be elected in each by electors of county [formerly of district]. Amending '99 ch.107 §1-2. S. D. 169, 4 Mr
- 3147** On petition of majority of legal voters of county desiring annexation to adjoining county question to be submitted to voters of both counties; majority of voters in each necessary; governor to issue proclamation of annexation. U. 121, 23 Mr
- 3148** Counties put into 29 classes according to population; for all purposes [formerly for regulating compensation of county officers]. Amending Ballinger's Codes '97 §1563. Wash. 136, 18 Mr
- 3149** Referring to next legislature constitutional amendment empowering legislature to establish separate system of county government in counties containing city over 100,000. Wis. j.r. 12
- 3150** County seats. In estimating majority to authorize removal of county seat, courts to be governed by number of persons who have paid poll tax as filed by collector 1st Monday in July. Amending S.'94 §953. Ark. 38, 7 Mr
- 3151** Petition for removal of county seat signed by majority of voters who are ad valorem taxpayers [formerly qualified electors] to be submitted at next election; two-thirds [formerly majority] vote to carry. Amending P.C. §4157-65. Mon. p.145, 14 Mr
- 3152** Removal of county seat from city, town or village so recognized for more than 10 years, to be effected only in manner provided by law. Amending R.C.'99 §1880. N. D. 57, 5 Mr
- 3153** Submitting constitutional amendment; county seat to be changed on two-thirds vote at general election; if change needed to bring it near railroad station, on three-fifths vote. Vote November 1902. S. D. 87
- 3154** Amending C.'99 ch.39 §15 relating to relocation of county seats. W. Va. 95, 22 F
- 3155** Court houses. Buildings. When board of chosen freeholders declare county buildings inadequate, director of board and 2 members appointed by him constitute building committee with power to build new buildings and issue bonds. N. J. 47, 19 Mr
- 3156** In counties of over 2000 board of chosen freeholders may by three fourths vote declare county buildings inadequate and build new; may issue 4% 40 year bonds; sinking fund. N. J. 123, 22 Mr

- 3157** County commissioners may purchase land adjoining courthouse without submitting question to vote of people. Amending R.C.'99 §1311. **N. D. 73, 13 Mr**
- 3158** Board of county commissioners to let contracts for erection of county buildings; *notice of letting*; not over 80% [formerly 50%] to be paid till contract completed; *bond of contractor required*. Amending S.'93 ch.22 art.9 §36. **Ok. 12 art.3, 8 Mr**
- 3159** With consent of council new county buildings may be erected on any public squares of county seat. **Pa. 202, 25 My**
- 3160** County records. Regulations as to evidence when original instruments can not be produced and records are burned; county commissioners may buy certain papers; fraudulent alteration deemed forgery; fees for copies or abstracts. **Fla. 67, 30 My**
- 3161** County clerk of new county to make transcript of records and judgments in original county. Amending G.S.'94 §5425. **Minn. 274, 13 Ap**
- 3162** Destruction of certain papers authorized by county court after 5 years; new list of specified papers. Amending R.S.'99 §1795. **Mo. p.126, 22 Mr**

**Commissioners. Supervisors. Chosen freeholders.** (*See also* County courts, 2298; in many southern states these have general administrative duties)

- 3163** Board of supervisors may license any business not prohibited by law. **Cal. 209, 23 Mr**
- 3164** Counties to be redistricted to reduce commissioners to 3 in counties under 100,000; regulations. Amending G.S. §530, 533-34, 536 and repealing G.S. §535. County commissioners to publish proceedings relating to allowance of bills, contracts and rebate of taxes or assessments. **Col. 59, 30 Ap; 60, 12 Ap**
- 3165** Compensation of clerk of circuit court for acting as clerk of county commissioners to be fixed by commissioners on basis proportionate to compensation for other services. Amending R.S.'92 §1395. **Fla. 25, 31 My**
- 3166** Per diem pay of county commissioners not over \$100 [formerly \$50] annually. Amending R.S.'92 §582. **Fla. 27, 31 My**
- 3167** Counties divided into 3 classes for fixing commissioners' salaries; 1st \$750, 2d \$500, 3d \$300; expenses allowed. **Id. p.226, 14 Mr**
- 3168** County auditor to send annual statement to state auditor and board of county commissioners; statement to be basis of commissioners' annual report; publication. Repealing R.S. §1787, 2012. **Id. p.294, 21 Mr**
- 3169** Election of supervisors and assistants; population ascertained by last federal or state [formerly or by town] census. Amending R.S.'99 ch.139 §61. **Ill. p.313, 10 My**
- 3170** Organized counties to be divided into 3 commissioner districts; election of commissioners; term 3 years. **Kan. 129, 2 Mr**
- 3171** Counties over 75,000 may increase county commissioners; procedure. **Minn. 17, 27 F**
- 3172** Compensation of county commissioners in counties 150,000 to 200,000 \$600 a year. **Minn. 49, 14 Mr**

- 3173 County commissioners in counties over 200,000 to receive no compensation for official work other than \$1200 salary. Amending '99 ch.28 §1. Minn. 351, 13 Ap
- 3174 County commissioners may call special election to consider proposition to raise money for public improvement. Amending P.C. §1151. Mon. p.114, 8 Mr
- 3175 Submitting constitutional amendment providing for election of 3 commissioners in each county for term of 6 years; vacancy to be filled by district judge. *Vote November 1902.* Mon. p.208, 26 F
- 3176 Townships except in counties over 200,000 may elect member of board of chosen freeholders at annual township election; term 2 years in counties of 2d class, 3 years in counties of 3d and 4th classes; vacancies filled by township committee. Supplementing G.S.'95 p.409. N. J. 24, 7 Mr
- 3177 Supplementing '94 ch.165 providing for organization of boards of chosen freeholders by declaring it inoperative till accepted by voters of county. N. J. 166, 22 Mr
- 3178 County commissioner districts not to be changed oftener than once in  $\frac{1}{4}$  [formerly 3] years; term of 3 original commissioners 2,  $\frac{1}{4}$  and  $\frac{1}{4}$  [formerly 1, 2 and 3] years respectively; term of additional commissioners  $\frac{1}{4}$  [formerly 3] years. Amending R.C.'99 §1842, 1893, 1896. N. D. 52, 12 Mr
- 3179 Compensation of county commissioners  $\frac{1}{4}$  [formerly \$3] a day; *office hours during sessions not under 7 hours.* Amending R.C.'99 §2095. N. D. 53, 14 Mr
- 3180 *County judge, auditor and clerk of district court to be redistricting board; to redistrict county on petition of 25% [formerly majority] of legal voters; no county to be thus redistricted oftener than once in 5 [formerly 3] years.* Amending R.C.'99 §1894-95. N. D. 54, 8 Mr
- 3181 Amending '97 ch.12 art.2 §1 relating to length of sessions and duties of county commissioners; election expenses and jury fees only claims considered at called session. Okl. 12 art.4, 8 Mr
- 3182 County commissioners' printed reports of approved claims to show nature of claim, name of claimant and amount. S. C. 384, 8 F
- 3183 County commissioners to be nominated by district but voted on by electors of entire county; term 4 years. S. D. 96, 7 Mr
- 3184 Requiring publication of proceedings of county commissioners in newspapers without regard to political party. Amending '97 ch.50 §1. S. D. 97, 4 F
- 3185 County commissioners to hold office 4 and 2 years respectively; fixing time of election. Amending R.S.'98 §496. U. 30, 12 Mr
- 3186 In counties of \$7,000,000 valuation county commissioners may make contracts with county surveyor for maps required by law. Amending R.S.'98 §639, 2553. U. 101, 14 Mr
- 3187 Amending S.'98 §696 as to fees [formerly and mileage] of county judges, court commissioners and justices of peace for making returns to county board; *returns to be sent by registered mail.* Wis. 153, 9 Ap



- 3188 Board of supervisors to publish copy of proceedings in newspaper; may publish also in pamphlet form. Wis. 298, 4 My
- 3189 County commissioners to file \$1000 bond with clerk of district court for *faithful, impartial and honest performance of duties*. Amending R.S.'99 §1056. Wy. 35, 14 F

**Officers.** (See also Recorders of deeds, 1884)

- 3190 **General.** County officer not to leave territory [formerly for more than 60 days] without consent of *chairman* of board of supervisors; *salary during absence paid at discretion of board*. Amending R.S.'87 §477. Ari. R.S.'01 p.1457, 7 Mr
- 3191 Submitting constitutional amendment fixing number, term and election of county commissioners, county officers, justices of peace and constables. *Vote November 1902*. Col. 50, 25 Mr
- 3192 Governor to appoint expert accountant as agent to examine records, accounts and transactions of county officers; \$1500 and expenses. Repealing '97 ch.73. Fla. 100, 31 My
- 3193 Person eligible to county office to be citizen of county 2 years prior to election or *appointment* and to be qualified voter *entitled to vote*. Amending C.'95 v.1 §223 ¶7. Ga. p.42, 18 D 00
- 3194 Terms of county auditor, clerk, sheriff, recorder, prosecuting attorney, assessor, coroner, surveyor and commissioners to begin Jan. 1. Ind. 182, 11 Mr
- 3195 County officials not to be interested in contracts to which county is party. Minn. 324, 13 Ap
- 3196 Bonds of county and township officials to be examined semi-annually by county commissioners. Mon. p.92, 25 F
- 3197 Bonds of county officials may be dispensed with; cost of bonds by surety companies may be paid by county. Amending C.S. ch.10 §19. Neb. 11, 1 Ap
- 3198 Governor to fill vacancies in county offices. N. M. 2, 11 F
- 3199 Counties of 40,000 created separate judicial districts to elect prothonotary, clerk of courts of quarter sessions and oyer and terminer, register of wills, clerk of orphans court and recorder of deeds. Pa. 265, 12 Je
- 3200 Elective county and precinct officers except justices of peace and constables in cities of 15,000 to 40,000 to be elected at general election in November. Amending R.S.'98 §545. U. 111, 22 Mr
- 3201 Vacancies in board of county superintendents of poor to be filled by chairman of county board; appointees to hold till next annual meeting of county board. Amending S.'98 §1520. Wis. 56, 19 Mr
- 3202 **Salaries. Fees.** Amending '99 p.331 classifying counties for regulation of officers' salaries. Col. 80, 27 Ap
- 3203 County officers not to be paid for services when state, state board or officer is party. Amending R.S. §2138. Id. p.162, 12 Mr
- 3204 Salaries of county treasurer and auditor in counties 75,000 to 100,000. Minn. 142, 4 Ap
- 3205 Salaries of certain officers in counties of 150,000 [formerly 100,000] to 300,000. Amending R.S.'99 §3285. Mo. p.175, 13 Mr

- 3206** In counties over 60,000 [formerly 70,000] county commissioners' salary \$1800 payable monthly. Amending C.S. '99 ch.28 §22.  
Neb. 33, 29 Mr
- 3207** Merchant making return of sales for taxation to pay clerk of board of county commissioners fee of 15c. Amending '01 ch.9 §77.  
N. C. 10, 15 Mr
- 3208** Salaries of county attorney, commissioners, treasurer and his clerks regulated by population. Okl. 15, 8 Mr
- 3209** Regulating fees of clerks of circuit and county courts, county clerks, recorders of conveyances and sheriffs in counties over 50,000; accounting and paying over to county treasurers.  
Or. p.387, 28 F
- 3210** Clerks of courts and registers of wills to keep account of fees received and furnish verified copy to auditor appointed to settle accounts of county officers; auditor to file copy of report with court of common pleas. Amending '68 ch.1. Pa. 142, 11 My
- 3211** Amending '76 ch.15 as to salaries of county officers in counties of 250,000 to 500,000. Pa. 326, 10 JI
- 3212** County commissioners in counties of 17,000 may allow salary not over \$1500 to registers of deeds and county auditors; where fees amount to less than \$400 deficiency to be paid by county. Amending '97 ch.47 §1, 2. S. D. 95, 11 Mr
- 3213** Abolishing fees of court officers, county trustees, registers and sheriffs and fixing salaries according to population of counties. Tenn. 124, 1 My 97. *Unconstitutional*. Denies equal privileges and immunities. Weaver v. Davidson co. 59 S. W. 1105.
- 3214** Raising limit of allowances to county officers. Amending C.'99 ch.39 §49. W. Va. 36, 26 F
- 3215** County treasurer. County treasurers of counties of 25,000 [formerly 20,000] to deposit funds in banks in county [formerly at county seat]; on refusal to pay interest county commissioners may designate other banks in state. Amending '91 ch.102 §1.  
Kan. 130, 2 Mr
- 3216** In counties of 28,000, salary of treasurer if not over \$1000 to be increased by \$800. Minn. 112, 6 Ap
- 3217** In counties of 14,000 to 23,000 county commissioners may allow county treasurer \$300 for clerk hire. Minn. 266, 12 Ap
- 3218** County treasurers and auditors in counties over 15,000 to have \$300 to \$500 for clerk hire. Minn. 376, 13 Ap
- 3219** County treasurers to publish semiannual statements in July [formerly June] and January. Amending C.L.'99 ch.18 §95a.  
Neb. 23, 15 Mr
- 3220** Amending C.S.'99 ch.28 §20 as to fees of county treasurers.  
Neb. 32, 1 Ap
- 3221** By direction of state controller county treasurer to bring action against predecessor for moneys not delivered. Amending '92 ch.686 §147. N. Y. 112, 15 Mr
- 3222** Salaries of county treasurers. Amending '99 p.246.  
Or. p.174, 27 F
- 3223** Salaries of county treasurers. Amending '99 p.246.  
Or. p.301, 27 F

- 3224** County treasurer responsible on bond for negligently allowing taxes to remain unpaid. **Wy.** 59, 16 F
- 3225** Auditor. Controller. (*See also* Local finance, 1774) Amending G.S.'88 §1985 as to election of county auditors; *to be of different political parties.* **Ct.** 26, 11 Ap
- 3226** Amending G.S.'94 §720 as to salaries of county auditors. **Minn.** 318, 13 Ap
- 3227** Counties with cities of 50,000 to 150,000 to elect auditor for 4 years at \$1800 payable quarterly; qualifications and duties; bond; monthly report to county clerk; may appoint deputy. **Mo.** p.103, 27 Mr
- 3228** Counties of 150,000 according to last census to elect controller; governor to fill vacancy. Amending '95 ch.288. **Pa.** 114, 8 My
- 3229** In counties of 7000 to 8000 salary of county auditor \$1500 [formerly \$1350]; clerk \$1350 [formerly \$1100]. Amending Ballinger's Codes '97 §1582. **Wash.** 132, 18 Mr
- 3230** County clerk. County clerk to record bonds filed; applicable to counties where adopted by board of supervisors. **Mich.** 147, 22 My
- 3231** Authorizing county clerks to retain fees for services performed by authority of act of congress relating to location of government lands. **Nev.** 83, 20 Mr
- 3232** Judges of county court to certify appointment and qualification of county clerks to secretary of state, who shall certify to such facts when requested; repealing S.'04 §2965 requiring county clerks to certify appointment of notaries public to secretary of state. **Vt.** 43, 23 N 00
- 3233** In counties of 150,000 county clerk may appoint 5 [formerly 3] assistants, chief clerk, assistant, stenographer, *and license and copying clerks.* Amending S.'98 §706. **Wis.** 57, 19 Mr
- 3234** In counties of \$2,500,000 valuation county commissioners may allow additional deputy clerks at \$900 salary. Amending R.S.'09 §1139. **Wy.** 75, 18 F
- 3235** Surveyor. Amending S.'04 §3303 as to fees for copying field notes and plats. **Ark.** 191, 23 My
- 3236** County surveyor in counties of 150,000 to have charge of all surveying and civil engineering work of county including highways; salary \$2400; \$1900 for deputies. **Ind.** 228, 11 Mr
- 3237** In counties of 150,000 to 200,000 county surveyor may spend \$400 annually for team hire. **Minn.** 53, 14 Mr
- 3238** Plats of cities and towns may be explained under oath by surveyor or one of original proprietors. **Minn.** 253, 11 Ap
- 3239** County commissioners may have lands surveyed by county surveyor to secure accurate description for assessment; may levy tax not over 1 mill in 1901 and 1902 for county survey fund. **N. M.** 50, 19 Mr
- 3240** Official record of surveys in counties containing meridian monuments to record date of testing magnetic instrument and declination or variation of needle. Amending '99 ch.665. **N. C.** 642, 13 Mr

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- 3241 Duties and compensation of county surveyors as to boundary lines and corners, roads, bridges and public works; detailed regulations. Or. p.310, 28 F
- 3242 Surveyor not to throw debris on cultivated land. Amending C.'99 ch.43 §20. W. Va. 91, 18 F

**Miscellaneous**

- 3243 Board of supervisors in counties of \$8,000,000 valuation may appoint commissioner of immigration for 2 years at \$600; duties; board may spend \$2500 annually. Ari. R.S.'01 p.1467, 16 Mr
- 3244 Boundary lines of counties not to be so changed as to reduce area below 1800 [formerly 2000] square miles. Amending '97 ch.308 §1. Minn. 340, 13 Ap
- 3245 County supplies to be bought of resident merchants paying license provided price not over 10% advance on San Francisco rates plus freight. Nev. 64, 19 Mr
- 3246 Counties of 50,000 not to make contracts or assume liabilities except after public bids; advertising. Or. p.138, 25 F
- 3247 Real property owned by any county and not held for public use may be sold by county commissioners at public auction. S. D. 182, 8 Mr

**Townships**

- 3248 Amending '97 ch.278 relating to county and township government. Cal. 234, 23 Mr
- 3249 Warning of town meeting to be posted or printed in newspaper. Amending G.S.'88 §33. Ct. 10, 28 Mr
- 3250 County board, on petition of majority of resident land owners outside corporate limits, has power to disconnect land and annex to another town; town reduced not to have area less than 16 square miles. Amending R.S.'99 ch.139 §37. Ill. p.310, 9 My
- 3251 Powers vested in township within city of 50,000 to be exercised by city council; highway commissioners in such township abolished; adoption of act by petition and election. Ill. p.314, 11 My
- 3252 Town officers elected for 2 years; elections held in odd years; town clerk to be chief executive officer of township and have powers of justice of peace. Ind. 45, 28 F
- 3253 Town clerk may be elected for 3 years; may be clerk of boards and departments. Mass. 482, 10 Je
- 3254 County commissioners may divide town on petition of 20 voters. Minn. 152, 6 Ap
- 3255 Township elections held in incorporated villages to be at least 75 [formerly 600] feet from place of village election. Amending '97 ch.239 §1. Minn. 202, 10 Ap
- 3256 Submitting constitutional amendment requiring question of township organization to be decided by majority of voters of county voting thereon. Vote November 1902. Mo. p.267
- 3257 Towns may grant money to pay expenses of old home week. Amending P.S.'01 ch.40 §4. N. H. 17, 20 F

- 3258** Vote on appropriations over \$1000 for one object except state, county and school taxes to be by ballot in towns over 3000; also by checklist on request of 7 voters; applies where adopted.  
N. H. 89, 22 Mr
- 3259** Abolishing township committee in townships containing municipality governed by board of commissioners, improvement commission or *board of trustees*. Amending '96 ch.182.  
N. J. 49, 19 Mr
- 3260** Township officers [formerly in townships over 6000] not to exercise functions in city created from township; city to elect tax assessor and collectors, overseers of poor and justices of peace; township and city to divide public property. Amending '95 ch.49.  
N. J. 61, 19 Mr
- 3261** In counties of 130,000 to 150,000 town meeting to be held at time and place of general election in November; regulations as to ballots, voting and canvass; salary of supervisors \$250.  
N. Y. 34, 22 F
- 3262** In counties over 120,000 town meetings to be held in November at time and place of general election; regulations.  
N. Y. 174, 22 Mr
- 3263** When no supervisor is elected because of tie in votes cast, on petition of 25 electors of town special election to be held. Amending '90 ch.569 §12.  
N. Y. 349, 15 Ap
- 3264** Board of supervisors may fix date of annual town meeting on 1st Tuesday after 1st Monday in November of odd year; lengthening terms of town officers when date of election changed. Amending '90 ch.569 §10.  
N. Y. 391, 17 Ap
- 3265** Elector or wife to own property in town in order to vote on proposition to raise over \$500; town appropriation ballots to be separate. Amending '90 ch.560 §31; '96 ch.909 §82.  
N. Y. 598, 27 Ap
- 3266** Annual township meetings to be held on 3d [formerly 2d] Tuesday in March. Amending R.C.'99 §2540.  
N. D. 203, 6 Mr
- 3267** Amending R.C.'99 §2591 as to time of regular meetings of township supervisors.  
N. D. 205, 4 Mr
- 3268** Fixing bond of township treasurer at double amount received; duties; payment of warrants in order of registration with 6% interest if not paid on presentation; annual report; open records; felony to refuse to pay over money to successor.  
Okl. 29, 4 Mr
- 3269** Amending G.L.'96 ch.37 §9 as to time and manner of calling town meetings on request; only business stated in warrant to be acted on.  
B. I. 852 §9, 29 Mr
- 3270** Town meetings in towns not divided into voting districts held 1st Tuesday after 1st Monday in November, not to interfere with general elections by secret ballot. Amending G.L.'96 ch.39 §2-3.  
B. I. 852 §10, 29 Mr
- 3271** Township may pass ordinances, order sidewalks, abate nuisances, provide shade trees; justices of peace have jurisdiction of cases under ordinances or bylaws. Amending C.L.'87 §711.  
S. D. 200, 5 Mr

- 3272 Amending S.'94 §5409 as to fees of town clerks. Vt. 114, 28 N 00
- 3273 \$500 for advertising arrangements in towns for celebration of old home week; auditor to pay vouchers approved by governor. Vt. 133, 27 N 00
- 3274 Town board may designate limits of unincorporated villages on petition of majority of freeholders; assessors' duties as to unincorporated villages. Amending S.'98 §819, 1045, 1048. Wis. 302, 6 My

**Municipalities<sup>1</sup>—incorporation, powers**

- 3275 Incorporation. General organization. Petition to incorporate town to be signed by 50 or more qualified electors, who are also householders and freeholders [formerly 20 or more adult male inhabitants]. Amending C.'96 §2937. Ala. p.120, 11 F
- 3276 Cities over 200,000 [formerly 100,000], 1st class; 100,000 to 200,000, 1st and one half class. Amending '83 ch.17. Cal. 80, 5 Mr
- 3277 Submitting constitutional amendment allowing cities over 3500 to form charters and providing for their adoption and ratification by legislature. Vote November 1902. Cal. p.950, 8 Mr
- 3278 Submitting constitutional amendment empowering cities over 2000 to make, revise and amend charters; franchises to be granted on vote of qualified taxpaying electors; regulations. Vote November 1902. Col. 46, 18 Mr
- 3279 Submitting constitutional amendment providing for consolidation of city of Denver and county of Arapahoe. Vote November 1902. Col. 46, 18 Mr
- 3280 Mayor to be chief executive in cities over 15,000 not under special charter; with consent of council to appoint, suspend and remove city employees; health commission of mayor, commissioner and member of city council; regulations. Col. 104, 5 Ap
- 3281 Amending '99 p.192 §73 as to government of cities and villages. 15p. Id. p.90, 19 Mr
- 3282 300 people of village or town may organize as village. Amending R.S.'99 ch.24 art.11. Ill. p.119, 8 Ap
- 3283 Regulating dissolution of incorporated towns; proceedings to be instituted on petition of two thirds of voters. Ind. 168, 11 Mr
- 3284 When requirements of law have been fulfilled, supervisors shall [formerly may] declare village incorporated. Amending C.L.'97 §2692. Mich. 33, 29 Mr

<sup>1</sup>The usage of terms designating local bodies varies widely in different states. The word *municipality* is here used throughout in its original and strictest meaning to designate any densely populated, incorporated community; thus including cities, villages, boroughs and "towns" (as a name for villages) but not including townships. Where the word *town* is used to designate in general the smallest division of the state regardless of dense population, it is grouped with township government, though in the case of the New England towns the nature of the government approaches more nearly that of a municipality than that of a western township.

In many states, municipalities, specially cities, are divided into classes according to population. As the classification varies widely, the limits of population designated thereby are in these references substituted for the number of the class.

- 3285** In villages under 3000 council may order special elections; 10 days notice to be given; regulations. Minn. 85, 26 Mr
- 3286** Charter commissions of cities may spend \$500 for clerical help. Minn. 129, 4 Ap
- 3287** On petition of 5% of voters city charter to be submitted to popular vote. Amending '99 ch.351 §4. Minn. 323, 13 Ap
- 3288** Amending R.S.'99 §5490-539 relating to government of cities of 30,000 to 100,000; municipal assembly to be council of 5 and house of ward delegates; terms and compensation; powers and duties of mayor. Mo. p.55, 13 Mr
- 3289** Amending R.S.'99 §5858-60 as to powers of cities of 3000 to 30,000; taxes; streets, sidewalks, bridges, sewers; duties of council as to street improvements; tax bills for improvements. Mo. p.63, 27 Mr
- 3290** Submitting constitutional amendment; city charter may be amended by three-fifths vote at general or special election; lawmaking authorities may order popular election of 13 freeholders to prepare new charter for adoption by majority vote. *Vote November 1902.* Mo. p.263, 11 Mr
- 3291** General revision of C.S.'99 ch.13a art.1 as to incorporation and government of cities of 40,000 [formerly 25,000] to 100,000 (Lincoln). 72p. Neb. 16, 27 Mr
- 3292** General law as to incorporation and government of cities of 25,000 to 40,000. 84p. Neb. 17, 19 Mr
- 3293** General revision of C.S.'99 ch.13a art.2; ch.14 art.2 as to incorporation and government of cities of 5000 to 25,000. 79p. Neb. 18, 16 Mr
- 3294** Amending '01 ch.18 as to cities of 5000 to 25,000. 15p. Neb. 19, 29 Mr
- 3295** City elections to be held on 1st Tuesday after 1st Monday in November annually; officers to be voted for on ballots required for state and county officers; term of elective city officers extended to following Jan. 1; vacancies. N. J. 18, 28 F
- 3296** Classifying cities; over 150,000 1st class; 12,000 to 150,000 2d class; all others 3d class. Amending G.S.'95 p.458 ¶2. N. J. 46, 18 Mr
- 3297** City council may establish office of auditor and fix salary; appointed by mayor; council may consolidate offices; to designate annually 2 official newspapers; additional powers as to taxes, sewers, opening, grading and paving streets. Supplementing '99 ch.135. N. J. 70, 20 Mr
- 3298** Charter election in village which is part of township to be held on same day as township election. N. J. 168, 22 Mr
- 3299** Population of proposed incorporated town or village to be not under 200 [formerly 500]. Amending C.L.'97 ch.2 §2477. N. M. 13, 6 Mr
- 3300** If proposition for dissolution of village be defeated at election similar proposition not to be submitted within 2 years; if second proposition defeated, question of dissolution not to be again submitted within 5 years from last defeat. Amending '97 ch.414 §327. N. Y. 53, 28 F

- 3301 Referring to next legislature constitutional amendment; general laws to be passed for incorporation of cities; cities may frame and adopt charters without regard to legislature.  
Or. p.471, 15 F
- 3302 Creating board to prepare charter for Portland city; charter to be submitted to voters June 1902; if approved by voters to be submitted to legislature for approval or rejection without amendment.  
Or. p.296, 27 F
- 3303 Providing government for cities of 100,000 to 1,000,000, Pittsburg, Allegheny, and Scranton; office of mayor abolished; recorder chief executive officer; term 3 years; not reeligible; to appoint for 3 years with power of removal, heads of departments except controller, treasurer and assessor; heads of departments to appoint subordinates; salaries fixed by council; schedule annexed empowering governor to appoint recorders to serve till 1903; these recorders empowered to remove heads of departments and appoint others and eligible for election in 1903.  
Pa. 14, 7 Mr
- 3304 County commissioners to designate annually by proclamation townships coming within conditions of 1st class, 300 a square mile; on petition of 20 freeholders of township stating that township contains 300 a square mile, court of quarter sessions to order enrolment. Amending '99 ch.86. Pa. 127, 11 My
- 3305 General amendments to '89 ch.247 providing for government of cities under 100,000. Pa. 165, 16 My
- 3306 Incorporated borough may on application of *burgess, town council* or 25 resident electors to court of quarter sessions become subject to general borough law. Amending '51 ch.218.  
Pa. 225, 4 Je
- 3307 Various amendments to '01 ch.14 relating to government of cities of 100,000 to 1,000,000. Pa. 288, 20 Je
- 3308 Defining procedure for incorporation of cities over 5000; organization of government; elections; charter. 10p. S. C. 377, 19 F
- 3309 Regulations as to incorporation of towns to apply to village or city; county commissioners to adjust claims. Amending C.L.'87 §1030. S. D. 74, 23 F
- 3310 Town officers to give bond *approved by board of trustees*; if town in more than one county, bond of justices of peace to be filed by clerk of circuit court of each county; justices of peace in town to have exclusive *original* jurisdiction of offenses against town ordinances; change of venue to be to justice of concurrent jurisdiction. Amending C.L.'87 §1049, 1081.  
S. D. 170, 5 F
- 3311 Taxing districts of 30,000 and under may be incorporated as cities or towns by special act. Amending '81 ch.127. Tenn. 43, 18 Ap
- 3312 Community of at least 20 residences in 1 square mile may on petition be incorporated as sanitary district; legislative power in assembly of voters; mayor, clerk and sanitary inspector to be elected for 1 year; powers and duties; regulations.  
Tenn. 64, 22 Ap



- 3313** Municipal corporations may surrender charter by vote at election held on petition of 15 householders or freeholders; notice of election and filing of result. **Tenn.** 165, 22 Ap
- 3314** To require that territory of district to be incorporated not to exceed reasonable proportion to population; exact limit at discretion of circuit court granting charter. Amending C.'90 ch.47 §2, 9, 49. **W. Va.** 41, 22 F
- 3315** Validity of incorporation of village may be tested by certiorari; procedure. **Wis.** 39, 8 Mr
- 3316** Cities of 6000 to 9000, 2d class. Amending R.S.'99 §1673. **Wy.** 15, 9 F
- 3317** Election of mayor and councilmen in cities of 10,000 incorporated under special charter to be held annually on 1st Tuesday after 1st Monday in November; term of mayor 2 years; of councilmen 3 years, 1 elected annually from each ward; election regulations. **Wy.** 69, 16 F
- 3318** **Annexation. Division. Boundaries. Wards.** 20 or more acres of land within corporate limits of city or town may be set off; petition of owners; provisions; not exempt from taxes assessed. **Col.** 106, 30 Ap
- 3319** On petition of *majority* [formerly not less than three fourths] of legal voters and property owners of contiguous territory, municipality to submit question of annexation to popular vote [formerly may annex such territory]. Amending R.S.'99 ch.24 §195. **Ill.** p.95, 10 My
- 3320** On petition of majority of owners territory may be separated from village; procedure. **Ill.** p.96, 10 My
- 3321** Villages having ward divisions unchanged for 15 years may be redistricted by 9 commissioners appointed by district judge on petition of 10 legal voters; district court to give hearing and confirm or reject report. **Minn.** 196, 10 Ap
- 3322** Adjoining territory acquired by villages for cemetery purposes may be added to village by ordinance. **Minn.** 217, 10 Ap
- 3323** Prescribing procedure to detach from city, lands within or adjacent to limits; not to apply to platted lands. Amending C.S.'99 ch.14 §101. **Neb.** 20, 1 Ap
- 3324** Legislative body of city may change boundaries or increase wards to 16; majority vote of such body and approval of *elected* mayor required. Amending '95 ch.152. **N. J.** 2, 5 F
- 3325** On petition of 100 voters governor may appoint commission of 3 voters of city not of same political party to divide city into wards; supreme court may review division; expenses paid by city. **N. J.** 92, 21 Mr
- 3326** On petition of two thirds of inhabitants and owners of two thirds of value of real estate court of quarter sessions may alter boundaries of township or borough; procedure. **Pa.** 144, 11 My
- 3327** Regulating division of cities into wards; election of aldermen. **S. D.** 80, 23 F
- 3328** **Powers.** Increasing powers of boards of trustees of cities as to acquisition of waterworks, street railways and other public

- utilities; limiting property and dog tax in cities. Amending '83 ch.49. Incorporated towns may license any legal business.  
Cal. 26, 209, 20 F
- 3329** Regulating abandonment by cities and towns of lands secured otherwise than by purchase. Mass. 294, 16 Ap
- 3330** Council of cities not over 50,000 may change street names. Minn. 226, 10 Ap
- 3331** Cities and villages may codify and publish laws, charters, ordinances, resolutions, rules and bylaws. Minn. 296, 13 Ap
- 3332** Cities of 150,000 [formerly 100,000] to 300,000 may enact needful ordinances to protect persons and property; limit to fines \$500, to imprisonment 12 months. Amending R.S.'99 §6169.  
Mo. p.79, 13 Mr
- 3333** By vote at meeting, towns may distribute literature calling attention to their advantages. Amending P.S.'01 ch.40 §4.  
N. H. 8, 13 F
- 3334** Towns may employ legislative counsel. N. H. 62, 8 Mr
- 3335** Cities may appropriate \$15,000 annually for maintenance of free public baths. N. J. 122, 22 Mr
- 3336** On petition of majority of abutting lot owners common council in cities of 50,000 to 250,000 may without two-thirds vote alter name of street. Amending '98 ch.182. N. Y. 552, 25 Ap
- 3337** Municipal corporations may buy real estate if no debt is incurred. N. C. 283, 27 F
- 3338** Councils of cities under 100,000 may sell coal under public park or common owned by city; proceeds for improving, policing and lighting park. Pa. 232, 4 Je
- 3339** Boroughs and incorporated towns may take private property and public property no longer used for purpose for which dedicated, for erection of public buildings; procedure. Pa. 264, 10 Je
- 3340** Town council of incorporated towns not over 5000 may authorize erection of poles and other obstructions on streets; on adoption of new charter, council may appoint managers of election. Amending '96 ch.36 §14, 25. S. C. 376, 20 F
- 3341** Chartered cities may validate indebtedness incurred in paying salaries of elective officers whose compensation was not mentioned in charter. Wash. 39, 1 Mr
- 3342** City councils may accept gifts of personal property. Amending S.'98 §925-29. Wis. 169, 13 Ap
- 3343** Cities under 10,000 may use portion of streets for deposit of building material, approaches to buildings, stairways and openings. Wis. 273, 2 My
- 3344** Cities and towns incorporated under general law may condemn property for sewer, gas and water mains, and use streets and alleys. Wy. 70, 16 F
- 3345** **Franchises.** (See also Railways—Location, 4464; Street railways—Franchise, 4561) Regulating granting of franchises; sale must be advertised; 2% of gross annual receipts of corporation to be paid to city after 5 years; manner of receiving bids; regulations. Cal. 103, 11 Mr

- 3346 Amending '90 ch.565 §93 as to sale of franchises at public auction in cities of 1,250,000. **N. Y. 494, 23 Ap**
- 3347 No county court or council to grant franchise till application has been filed and notice published 30 days; term of franchise not to exceed 50 years. **W. Va. 29, 21 F**
- 3348 **Miscellaneous.** Owner of real estate platted as addition to city or town to file plat with circuit clerk and recorder within 30 days; penalty. **Ark. 182, 23 My**
- 3349 Land for town site, addition to town, village, city or subdivision of lots to be surveyed and platted; regulations. **Id. p.183, 15 Mr**
- 3350 Cities and towns may survey, plat and record unplatted tracts inside corporate limits; procedure. **Ind. 163, 11 Mr**
- 3351 Parts of cities or towns vacated and restored to former description as unplatted land, to be recorded with register of deeds. **Kan. 411, 5 Mr**
- 3352 Person injured by defect in public works of municipality or by negligence of officers or employees, to give notice to council within 30 days of injury. **Minn. 248, 23 Ap 97. Partly unconstitutional.** Subject not included in title. **Winters v. City of Duluth, 84 N. W. 788.**
- 3353 Repealing '93 ch.7 providing for open space 25 feet wide on all sides of buildings erected for city hall. **N. J. 143, 22 Mr**
- 3354 Public officers or boards authorized to contract for public buildings or improvements to require contractor's bond equal to price stated in contract; sureties; bond to be filed; persons having lawful claims against contractor for labor or materials may institute action to recover on bond. **N. D. 133, 27 F**
- 3355 When claims against city are acted on by council, clerk to serve notice on claimant. **Wis. 68, 23 Mr**
- 3356 When owner of platted land certified by surveyor and opened to public use, dies without certifying and acknowledging plat so as to entitle it to record, it may be recorded by indorsing facts thereon. Amending S.'98 §2261. **Wis. 102, 30 Mr**

### Municipalities—officers

- 3357 Municipal corporations may consolidate certain offices. Amending '83 ch.49. **Cal. 54, 28 F**
- 3358 Candidate for elective office in cities to be resident elector. Amending '83 ch.49. **Cal. 131, 14 Mr**
- 3359 Terms of officers of cities of 2000 to 15,000 2 years; council to fill vacancies. **Col. 105, 30 Ap**
- 3360 Board of local improvements to submit semiannual report of condition of public work for 3 years after completion. **Ill. p.100, 10 My**
- 3361 Prescribing city officers and fixing terms. Amending R.S.'81 §3043. **Ind. 75, 5 Mr**
- 3362 Marshal, clerk, attorney and street commissioner in cities not over 15,000 may be appointed by mayor and council. Repealing '97 ch.128; '98 ch.6. **Kan. 112, 14 F**

- 3363** Salary of treasurers of cities over 35,000, \$1200. *Kan.* 196, 1 Mr
- 3364** Term of city clerks 3 years; referendum required. *Mass.* 332, 1 My
- 3365** Amending R.S.'99 §5537-38, 5548; in cities of 30,000 to 100,000 mayor to appoint city clerk, assessor and counselor for 2 years; voters to elect police judge, city attorney, auditor, treasurer and controller; terms; duties of controller. *Mo.* p.60, 13 Mr
- 3366** Amending R.S.'99 §5898, 5907 relating to elective officers and officers appointed by mayor in cities of 500 to 3000. *Mo.* p.68, 18 Mr
- 3367** In cities of 500 to 8000 aldermen may provide that same person be marshal and collector. Amending R.S.'99 ch.91. *Mo.* p.71, 16 Mr
- 3368** Cities of 100,000 to 150,000 to have board of public works of 3 elective members and city engineer; term 4 years; salary \$600; powers and duties. *Mo.* p.74, 14 Mr '01. *Unconstitutional.* Charters of cities not to be changed by special laws; cities of same class to have same powers. *State v. Borden*, 64 S. W. 172.
- 3369** In cities of 3000 to 10,000 under special charter, mayor, councilman from each ward, constable, assessor, attorney and clerk to be elected for 2 years. Amending R.S.'99 §6263. *Mo.* p.82, 11 Mr
- 3370** In cities over 100,000 clerk of district court may with approval of judge appoint assistant clerk; salary \$600. Supplementing '98 ch.228. *N. J.* 14, 27 F
- 3371** In boroughs having sewerage system, waterworks or electric light plant mayor may appoint subject to council, superintendent of public works; council to fix term and salary. Supplementing '97 ch.161. *N. J.* 50, 19 Mr
- 3372** In cities where offices of receiver of taxes and treasurer are held for indefinite time council or aldermen may fix definite term not over 5 years. *N. J.* 64, 31 Mr 97. *Unconstitutional.* Special laws not to be passed regulating internal affairs of cities. *Uffert v. Vogt*, 48 A. 574.
- 3373** Vacancies in elective city or ward offices except mayor and justice of peace to be filled by council. Amending '99 ch. 52. *N. J.* 65, 20 Mr
- 3374** Boards of aldermen or councils of cities may fix term of treasurer not over 3 years. *N. J.* 139, 22 Mr
- 3375** Boards of aldermen or councils of cities may fix term of collector of taxes not over 3 years. *N. J.* 140, 22 Mr
- 3376** By vote of electors offices of clerk and street commissioner in villages may be made elective; method of appointing not to be again changed for 2 years. Amending '97 ch.414 §43. *N. Y.* 155, 22 Mr
- 3377** City councils of cities incorporated under P.C. ch.28 may require city treasurer to furnish additional bond; penalty for failure. *N. D.* 42, 8 Mr

- 3378** Contracts of municipal boards void when made with members; public officers liable for double amount of money and property unlawfully paid out or transferred; suing taxpayer to receive one half value recovered. **Okl.** 25 art.2, 8 Mr
- 3379** On petition of council, judge of court of common pleas to appoint 5 persons directors of city trusts; to serve during good behavior and administer property bequeathed to city. **Pa.** 239, 4 Je
- 3380** In absence or disqualification of burgess, president of council to exercise duties. **Pa.** 259, 10 Je
- 3381** Common councils of cities, in joint convention every 5th year, to elect 5 license commissioners; town councils may elect 3 commissioners annually in November. Amending G.L.'96 ch.102 §3. **R. I.** 852 §12, 29 Mr
- 3382** Cities of 20,000 not to be divided into precincts for election of precinct officers. Amending R.S.'98 §544. **U.** 107, 22 Mr
- 3383** Village clerk may administer oaths. Amending S.'98 §4080. **Wis.** 145, 6 Ap
- 3384** Terms of city officers in cities under 150,000 2 years. **Wis.** 443, 15 My
- 3385** Legislative board. Amending '83 ch.49 as to powers of boards of trustees of cities of 3000 to 10,000. **Cal.** 218, 23 Mr
- 3386** City ordinance not to be adopted unless read at previous meeting and published or posted. **Col.** 108, 12 Ap
- 3387** In cities over 15,000 councilmen not to receive over \$200 [formerly \$50] salary. Amending '81 ch.37 §90. **Kan.** 195, 5 Mr
- 3388** Village councils may prescribe penalties not over \$100 or 90 days for violation of ordinances. **Minn.** 257, 11 Ap
- 3389** Town council to print annually on April 1 [formerly 30] statement of receipts and expenditures. Amending '95 ch.113 §43. **N. J.** 41, 13 Mr
- 3390** Misdemeanor for member of board, council or committee in municipality to be interested in contracts for supplies. Amending '98 ch.235 **N. J.** 191, 22 Mr
- 3391** Villages under 3000 may elect 2 or 4 trustees. Amending '97 ch.414 §44. **N. Y.** 7, 5 F
- 3392** Salaries of aldermen in cities of 50,000 to 100,000 and 100,000 to 250,000, \$500 and \$750 respectively [formerly served without salary]. Amending '98 ch.182 §13. **N. Y.** 534, 25 Ap
- 3393** Providing for election of village trustees. **Wis.** 320, 8 My

### Police. Fire department

(See also Public safety, 4848; Peace officers, 2357)

- 3394** General. Police officers not to serve over 8 hours out of 24 except in emergency. **Cal.** 91, 8 Mr
- 3395** Amending '99 ch.221 as amended by '01 ch.49 as to state firemen's association; duties. **Ct.** 158, 17 Je
- 3396** Board of trustees of city or village to appoint night watch and police. Amending '99 p.192. **Id.** p.133, 11 Mr

- 3397 Governor's first appointments of 3 metropolitan police commissioners in cities of 10,000 to 35,000 to serve till January of 1st, 2d and 3d years respectively after appointment [formerly till January of 1898, 1899 and 1900]. Ind. 18, 23 F
- 3398 When accepted by majority of voters of any town, civil service act applies to police and fire departments. Mass. 78, 21 F
- 3399 Misdemeanor to meddle with fire signal system boxes. Amending '88 ch.291. Mass. 527, 19 Je
- 3400 Probationary and substitute firemen not deemed firemen within meaning of '95 ch.73 for support of fire departments. Minn. 188, 9 Ap
- 3401 Office of lieutenant of police in cities abolished; such officers to be captains. N. J. 22, 6 Mr
- 3402 Fire districts may raise for fire protection not over 5 mills on dollar of last assessed valuation. Supplementing G.S.'95 p.1485. N. J. 27, 7 Mr
- 3403 Cities may spend \$155,000 for police station houses. Supplementing G.S.'95 p.1540 ¶363. N. J. 58, 19 Mr
- 3404 By two-thirds vote fire board in cities may increase number of battalion chiefs. N. J. 152, 22 Mr
- 3405 City police controlled by mayor and board of police commissioners may be increased to 80 [formerly 70]. Amending '91 ch.9. N. J. 172, 22 Mr
- 3406 In counties with unincorporated county seat over 3000, commissioners may appoint police force to be under supervision of sheriff; duties; bond and oath; compensation; public pound to be maintained. N. M. 47, 19 Mr
- 3407 Village board of trustees may make 10 year contract for fire protection with fire department of adjoining unincorporated village. Amending '97 ch.414 §88. N. Y. 593, 27 Ap
- 3408 Creating office of chief of fire department in cities and incorporated towns, where not established by charter; aldermen and town commissioners to elect and fix term; duties. N. C. 677, 14 Mr
- 3409 City having filed certificate of fire department for 3 successive years and drawn money thereunder, may file certificate up to and including Mar. 1 of succeeding year without waiving right to appropriation. Amending R.C.'99 §2466. N. D. 99, 28 F
- 3410 Fire companies, members of N. D. firemen's association, to receive 2% of premiums on policies issued in city, town or village; duty of secretary of association. Amending R.C.'99 §2464-65. N. D. 208, 8 Mr
- 3411 Cities under 100,000 may regulate police force and impose fines for violation of ordinances. Pa. 134, 11 My
- 3412 On assent of electors supervisors may levy tax for building township lockup; regulations. Pa. 135, 11 My
- 3413 Townships may contract for fire protection. Amending '99 ch.86. Pa. 315, 9 Jl
- 3414 Governor may organize ranger force to protect frontier and suppress lawlessness throughout state; quartermaster and not

- over 4 companies, each of captain, sergeant and 20 privates; governor to appoint quartermaster and captains for 2 years; may disband whole or part at any time; force to have powers of peace officers. Tex. 34, 29 Mr
- 3415** City marshal may appoint deputies *subject to approval of city council*. Amending R.S.'95 §407. Tex. 122, 19 Ap
- 3416** City marshals to give bond; powers and duties. Amending S.'98 §925-259. Wis. 272, 2 My
- 3417** **Pensions. Relief.** Providing firemen's relief and insurance pension funds; firemen may be retired on half pay after 20 years service; pensions to widows and children; tax to be levied; annual report. Cal. 87, 7 Mr
- 3418** *On petition of majority of electors*, governing body of city or county shall [formerly may] provide fund for pensioning firemen; pension not over \$25 nor under \$15; exceptions. Amending '89 ch.106. Cal. 181, 23 Mr
- 3419** Total amount of controller's orders for firemen's relief not to exceed \$10,000 [formerly \$8000] yearly. Amending '99 ch.221. Ct. 49, 8 My
- 3420** 25% of tax collected from foreign fire insurance companies added to firemen's pension fund. Amending '95 p.104. Ill. p.97, 24 Ap
- 3421** 2% of saloon license money added to police and firemen's pension fund. Amending R.S.'99 ch.24 §382. Ill. p.122, 10 My
- 3422** 20 years service, continuous or *aggregate*, entitles policeman of 50 to pension. Amending R.S.'99 ch.24 §393. Ill. p.123, 11 My
- 3423** Policeman may be retired on half pay on certificate of city physician stating incapacity because of injuries received in service; act to be accepted by city council or town meeting before operative. Mass. 377, 10 My
- 3424** City, village and fire department officers receiving 2% tax on premiums of agents of foreign fire insurance companies to pay 10% to treasurer of firemen's association of state of New York for support of Volunteer firemen's home at Hudson. Amending '92 ch.690 §133. N. Y. 726, 11 My

### Light. Water. Power. Heat

#### General

- 3425** Municipal corporations may construct gas and electric works and furnish light and power to private consumers. Amending S.'94 §5135. Ark. 186, 23 My
- 3426** Cities over 10,000 may create boards of electric light and water-works commissioners; qualifications; powers; regulations. Ind. 190, 11 Mr
- 3427** Cities may acquire light, heat, power or water works by condemnation proceedings; regulations. **Kan. 82, 13 Mr '97.** *Un-constitutional.* Subject not included in title. *City of Enterprise v. Smith*, 62 P. 324.
- 3428** Amending '97 ch.82 §9 empowering cities to contract with private corporations to supply light, power, water or heat, or to own plants; regulations as to bonds. Kan. 107, 2 Mr

- 3429 On application, gas and electric light commissioners to inspect electric light meters. **Mass.** 497, 13 Je
- 3430 Gas and electric light commissioners may spend \$3000 for procuring statistics, books and incidentals and \$4100 for clerical service. **Mass.** 499, 13 Je
- 3431 Cities under 10,000 may issue 4% bonds to amount of \$40,000 to construct or buy electric light plant. **Minn.** 199, 10 Ap
- 3432 Amending G.S.'94 §2604 giving water power, pneumatic tube and electric companies right to use public roads under municipal control. **Minn.** 360, 18 Ap
- 3433 Forbidding erection of electric light poles and laying of pipes in public roads without assent of county court. **Mo.** p.233, 19 Mr
- 3434 Submitting constitutional amendment; cities of 2000 to 30,000 by two-thirds vote at special election may increase indebtedness for water or light plant 5% of taxable property in addition to constitutional limit; 20 year bonds. Amending art.10 §12. *Vote November 1902.* **Mo.** p.268
- 3435 Cities over 1000 may establish heating or lighting systems; may issue bonds not over 5% of taxable value of property; mayor to appoint commissioner; duties; compensation. **Neb.** 22, 30 Mr
- 3436 Cities may appropriate money for lighting. Amending '90 ch.37 art.5 §1. **S. D.** 82, 8 Mr
- 3437 Plumbing, heat, steam and gas fitting companies may furnish electric light supplies and equipments. Amending '91 ch.118. **Tenn.** 14, 20 Mr
- 3438 Water and electric light, heat and power companies may develop water powers of navigable or unnavigable rivers and streams. Amending '95 ch.208. **Tenn.** 144, 18 Ap
- 3439 Water power companies may exercise right of eminent domain. **Wash.** 143, 18 Mr
- 3440 By two-thirds vote of electors cities under 10,000 may build water and electric light works; annual limit of expenditure 3% of taxable property. **Wis.** 95, 28 Mr
- 3441 Light plant or waterworks may be operated under commission [formerly water commission] of 3 citizens; election. Amending S.'98 §925—95-95a. **Wis.** 135, 1 Ap
- 3442 Cities under 40,000 may build light or water works; election; bonds; sinking fund. Amending '99 ch.348. **Wis.** 143, 6 Ap
- 3443 City, town or village may build and maintain dam for heat, light or power purposes; damage not to be lien on property but collected like other judgments against municipality; pending litigation not affected. **Wis.** 229, 26 Ap; 453, 14 My
- 3444 Cities may furnish electric light to parties outside corporate limits. **Wis.** 236, 27 Ap
- 3445 Municipalities may build or buy and operate light, heat and power plants. **Wy.** 22, 13 F
- 3446 Gas and electric companies. Electric light and power companies may secure right of way and operate lines; prohibiting interference with railroads, highways and other electric companies. **Ala.** p.188, 4 Mr



- 3447 Companies generating and transmitting electric energy to have right of eminent domain; regulations. Col. 56, 15 Ap
- 3448 Gas companies selling by measure to furnish meters to consumers and charge only as meter indicates. Ind. 63, 6 Mr
- 3449 No gas or electric company to operate without act of legislature [formerly or consent of other company] in city or town where other company is established. Amending '95 ch.102 §1. Me. 273, 22 Mr
- 3450 Companies making or [formerly and] selling electric light not to have competition without consent of mayor and aldermen or selectmen. Amending '97 ch.382. Mass. 389, 16 My
- 3451 Corporations may acquire right of way for transmission of electric energy in accordance with G.S.'94 §2621-32; may use highways. Minn. 301, 13 Ap
- 3452 Person or corporation may supply electric power, heat or light to any community in state; regulations as to erection of poles and necessary apparatus; franchise of 25 years; royalty of 2¢ to be paid to community. Nev. 25, 2 Mr
- 3453 Electric light and power companies may own and operate railroad in that part of city over 250,000 which is in county under 100,000. Amending '90 ch.565 §21. N. Y. 731, 11 My
- 3454 Amending S.'98 §1778 relating to condemnation proceedings in construction of power lines and liability of such corporations. Wis. 319, 8 My
- 3455 Apparatus. Misdemeanor to steal electric current or to tamper with meter or wires. Cal. 27, 23 F
- 3456 5 years imprisonment for tampering with electric wires. Adding §593 to Pen.C. Cal. 77, 2 Mr
- 3457 Regulating construction of telegraph, telephone and electric light wires over steam railroads; wires to be 25 feet above track; exceptions; procedure. Ind. 68, 5 Mr
- 3458 Misdemeanor to divert electricity or injure electric wires or apparatus. N. H. 41, 28 F
- 3459 Misdemeanor to interfere with gas or electric meters, steam valves or machinery of gas companies. N. C. 735, 15 Mr
- 3460 Felony to interfere with electric wires, cables, meters, apparatus and gas pipes. Or. p.83, 25 F
- 3461 Electric lines and wires may be placed along roads and streets; county courts to designate location of such fixtures on highways; damages. Or. p.132, 25 F
- 3462 Electric light wires in highways may be placed under ground; aldermen of city or trustees of village may regulate placing of wires. Amending S.'94 §4224-27. Vt. 65, 27 N 00
- 3463 Owner of property to which electric light or power lines are attached not to make change injurious to electric apparatus without giving 24 hours notice to company. Amending S.'98 §4559. Wis. 284, 4 My
- 3464 Regulating introduction of electric wires into buildings; prescribing size and insulation. Wis. 431, 14 My

**Water.** (*See also* Irrigation, 5199)

- 3465** Water companies not to charge rates over those fixed by board of supervisors; contract rules. **Cal.** 156, 16 Mr
- 3466** Cities or towns of 5000 to 30,000 may buy waterworks plant and issue bonds in payment. Amending '99 ch.254. **Ind.** 47, 1 Mr
- 3467** Creating metropolitan water and sewerage board; 3 members appointed by governor and council; term 3 years; salary of chairman, designated by governor, \$5000, others \$4500; metropolitan water board and board of metropolitan sewerage commissioners abolished. **Mass.** 168, 20 Mr
- 3468** Contractors for construction of metropolitan waterworks to give bond to city or town to indemnify for expense on account of introduction of pauper or indigent employees; city not deprived of existing rights. Amending '97 ch.339. **Mass.** 442, 29 My
- 3469** Advances may be made from treasury to person designated by metropolitan water and sewerage board; bond and receipts required. **Mass.** 513, 14 Je
- 3470** Submitting constitutional amendment; amount of county bonds assumed by city of St Louis and of waterworks bonds, not to be estimated in existing bonded indebtedness in determining amount of bonds authorized to be issued by two thirds popular vote; similar provision with regard to waterworks bonds for Kansas City. *Vote November 1902.* **Mo.** p.264
- 3471** Waterworks bonds of town, borough, association or municipal commission to contain recital that they are issued pursuant to law of 1901, ch.2, and such recital to be conclusive evidence of validity. Amending '87 ch.27. **N. J.** 11, 25 F
- 3472** Board of water commissioners in cities may not borrow money or issue bonds. Amending '00 ch.78. **N. J.** 68, 20 Mr
- 3473** Cities may issue water bonds to \$400,000; regulations; sale. **N. J.** 101, 21 Mr
- 3474** Extending '98 ch.193 concerning settlement of water taxes to all municipalities except cities. **N. J.** 170, 22 Mr
- 3475** With assent of contractor and sureties water and finance boards in municipalities may modify terms of contract for new water supply provided contractor is not released. **N. J.** 207, 22 Mr
- 3476** On petition of majority of [formerly resident] owners of taxable property in proposed water district town board shall establish such district and appoint 3 commissioners. Amending '00 ch.451. **N. Y.** 471, 22 Ap
- 3477** Referring to next legislature constitutional amendment excepting debts of New York city for water supply from constitutional limit of city indebtedness. **N. Y.** p.1804, 14 Mr
- 3478** Cities over 2500 may issue 6% scrip not to exceed \$5000 for water supply; levy with other taxes. **Okl.** 8, art.1, 27 F
- 3479** Borough councils may contract with private companies for water supply. **Pa.** 109, 2 My
- 3480** Boroughs may provide for water supply either by building and operating works or by contract with private corporations. **Pa.** 113, 3 My

- 3481** Amending '99 ch.53 §1 by allowing cities *under 10,000* to issue bonds on waterworks. S. D. 78, 11 Mr
- 3482** Towns of 350 [formerly 1000] may maintain waterworks; taxation; regulations. Amending '87 ch.105 §1. S. D. 81, 8 Mr
- 3483** Incorporated towns and cities of 4000 to 10,000 or companies supplying them with water may condemn right of way for pipes and condemn water from springs owned by them; no new right of eminent domain to be granted to water companies in incorporated towns and cities. Tenn. 63, 22 Ap
- 3484** 10 [formerly 30] days notice to be given of purpose to submit plan of waterworks system to voters; bonds to contain copy of ordinance directing submission. Amending Ballinger's Codes '97 §1077. Wash. 85, 16 Mr
- 3485** Cities may issue certificates and improvement bonds for laying water pipe; procedure. Amending S.'98 ch.40a. Wis. 362, 13 My
- 3486** Water companies. Incorporated cities, towns and villages may prescribe maximum rates for water supplied by water companies. Fla. 186, 31 My
- 3487** Companies furnishing water to municipalities and expiring by limitation may by two-thirds vote of capital stock continue existence for further term; not to be construed as extension of municipal franchises. Mich. 82, 23 Ap
- 3488** On petition of owners of majority of lots in district adjacent to town, water company may extend its mains thereto. Pa. 177, 21 My
- 3489** Ice. Foreign corporation for manufacture and sale of ice may hold necessary real estate [formerly not over 100 acres]. Amending '93 ch.338. Pa. 60, 19 Ap
- 3490** Pollution of water. Inspection. Misdemeanor to discharge coal tar or residuary product of coal, petroleum, asphalt, bitumen or carbonaceous substance into navigable waters. Adding §374½ to Pen.C. Cal. 266, 25 Mr
- 3491** Amending G.S.'88 §2656 as to purity of water for public and domestic use; buildings and nuisances may be removed; governor may appoint special policemen. Ct. 178, 17 Je
- 3492** Waste from factories not to be discharged into streams except on permission of state board of health; penalty \$500. Ind. 61, 5 Mr
- 3493** State board of health to examine annually outlets of sewers and effect of sewage disposal in cities and towns and report recommendations to general court. Mass. 104, 5 Mr
- 3494** Operators of coal mines on streams containing fish or water used for domestic or irrigation purposes not to dump coal slack or screenings therein; penalty \$200 to \$500. Mon. p.165, 9 Mr

**Local improvements. Assessments****General street improvement.** (*See also* Special assessments, 3562)

- 3495** Trustees of city or town may [formerly on failure to agree with owner] resort to condemnation proceedings in making street and sewer improvements or acquiring public harbors. Amending '83 ch.49. **Cal.** 22, 20 F
- 3496** Regulating street and sidewalk improvement and sewer construction in municipalities. **Cal.** 38, 26 F
- 3497** Cities and towns to require contractors for public improvements to give bond to state conditioned for payment of labor and materials. **Ind.** 165, 11 Mr
- 3498** Villages and cities under 10,000 may construct sidewalks and sewers and assess cost on adjoining property; procedure. Repealing '99 ch.49. **Minn.** 167, 9 Ap
- 3499** Municipal corporations failing to require bonds of contractors to be responsible for labor or material. Amending '95 ch.354. **Minn.** 321, 13 Ap
- 3500** Cities of 10,000 to 50,000 may grade and care for streets and build sidewalks and sewers; plant trees and abate nuisances and charge cost to property benefited; procedure. 24p. **Minn.** 379, 13 Ap
- 3501** County real estate in cities of 500 to 3000 subject to city ordinances relating to street improvements. Amending R.S.'99 ch.91. **Mo.** p.72, 25 Mr
- 3502** Providing for completion of unfinished improvements in towns incorporated under new law. Amending '95 ch.113 §84. **N. J.** 115, 22 Mr
- 3503** Providing condemnation proceedings for laying out foot walks, pavements, gutters, culverts and drains in boroughs. Amending '56 ch.561. **Pa.** 83, 2 My
- 3504** Borough councils may ordain and lay out sidewalks, pavements, gutters, culverts and drains on lands abutting on public roads outside limits of borough. Amending '83 ch.31. **Pa.** 200, 24 My
- 3505** Streets and alleys across tide lands in front of cities to be under supervision and control of such cities. **Wash.** 169, 18 Mr
- 3506** Incorporated cities and towns to control roads and streets and appoint overseer; road tax to be paid to city by county treasurer. Amending R.S.'99 §1952. **Wy.** 90, 19 F
- 3507** **Grading. Paving.** In cities of 50,000, graded streets intersecting at different elevations to be brought to same grade; procedure; settlement of damages. **Kan.** 110, 1 F
- 3508** Cities over 50,000 may pave intersection of streets at oblique angles. **Minn.** 79, 26 Mr
- 3509** In determining injuries to property by change of street or bridge grade in village, commissioners must allow for possible benefits; if award of commissioners does not exceed offer of board to compromise property owner to pay costs. Amending '97 ch.414 §159. **N. Y.** 68, 7 Mr

- 3510** Authorizing cities over 2500 to change grade, improve and permanently pave, curb and gutter streets; expense apportioned by 3 appraisers; tax levy for constructing storm sewers and outlets. Okl. 8, art.2, 5 Mr
- 3511** Town councils may pay part of expense of grading and curbing sidewalks. Pa. 279, 19 Je
- 3512** Townships with 300 to square mile and boroughs may contract jointly for grading or paving streets and alleys on boundaries; procedure. Pa. 322, 10 Jl
- 3513** On petition of owners of three fourths of property in local improvement district, cost of paving and guttering may be levied to amount equal to 50% of total increased value of property. Wash. 47, 6 Mr
- 3514** Opening. Altering. Vacating. Maps and plats of additions to cities, towns, or subdivisions shall show by indorsement streets and alleys accepted by governing body; not to be recorded till so indorsed. Amending '93 ch.80. Cal. 124, 14 Mr
- 3515** Mayor and common council of cities and board of trustees of towns and villages may convey real estate in vacated streets. Id. p.14, 8 Mr
- 3516** Boards of trustees of towns may vacate streets, alleys or highways; procedure. Ind. 85, 7 Mr
- 3517** Cities may open, alter or vacate streets; accept lands dedicated; but not open streets across public parks or squares, nor vacate those adjoining. N. J. 44, 13 Mr
- 3518** Township committees may acquire land for widening streets, roads or highways. N. J. 111, 21 Mr
- 3519** Cities and towns may with consent of owner exchange lands to straighten streets and alleys. N. M. 104, 21 Mr
- 3520** Township commissioners may lay out, widen, open and vacate streets and highways at discretion; procedure; condemnation. Pa. 247, 7 Je
- 3521** On petition of owners of more than two thirds of abutting property for vacation of alley or street, council to have hearing and may order vacation. Wash. 84, 16 Mr
- 3522** Person making application to county board, court, common council or village board [formerly or town board] for laying out, widening, extending or vacating street or public place to file notice of application and map with register of deeds. Amending S.'98 §3187a. Wis. 121, 1 Ap
- 3523** Cities of 40,000 may acquire lands outside corporate limits for bridge, viaduct, and highway purposes; procedure. Wis. 131, 1 Ap
- 3524** After 5 years, street, highway and alley laid out, altered or vacated by city, town or village to be taken as lawfully dedicated. Wis. 132, 1 Ap
- 3525** Cities and towns may vacate and close streets passing through grounds used or to be used by public building. Wy. 34, 13 F
- 3526** Watering. Cities over 10,000 may sprinkle streets and assess cost on abutting property. Minn. 175, 9 Ap

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- 3527 Bonds.** (Assessment and other improvement bonds) **Municipalities** may incur indebtedness for public improvements; procedure; election; bonds. **Cal. 32, 25 F**
- 3528** Cities of 2000 to 15,000 may issue general improvement bonds to pay one half cost of street improvements; procedure. **Kan. 70, 1 Mr**
- 3529** Cities over 50,000 may issue bonds for street improvements and sewers in advance of special assessment; amount not to exceed \$150,000 nor 10% of valuation. **Minn. 134, 4 Ap**
- 3530** Cities of 500 to 3000 on two-thirds vote may issue bonds for street improvements. Amending R.S.'99 ch.91. **Mo. p.71, 19 Mr**
- 3531** Cities on ocean may issue bonds for walks or streets; such bonds already issued are valid. Supplementing '89 ch.129. **N. J. 21, 6 Mr**
- 3532** Cities may issue improvement certificates at not over 6% interest in payment for sewer improvements [formerly such certificates limited to 3 years]. Amending G.S. p.607 ¶9. **N. J. 45, 13 Mr**
- 3533** Council in cities of 150,000 may issue temporary loan paving bonds [formerly payable in 5 years]. Amending '95 ch.210. **N. J. 57, 19 Mr**
- 3534** When sewer system of city costs over \$100,000, council may issue improvement certificates to \$300,000; bonds may be issued to pay such certificates. Supplementing '93 ch.267. **N. J. 72, 20 Mr**
- 3535** Minor amendments to '98 ch.200 regulating issue of municipal bonds for street improvements. **N. J. 78, 20 Mr**
- 3536** Municipality governed by board of commissioners or improvement commission may issue 6% 30 year bonds to 2% of taxable valuation for paving; public meeting required. **N. J. 103, 31 Mr**
- 3537** Elections for issuing bonds in cities to be conducted by regular election officers and like other elections; form of ballots. Amending S.'98 §943. **Wis. 74, 23 Mr**

**Sidewalks**

- 3538** Amending '99 ch.47 §41-42, 47 concerning building and repair of sidewalks in townships. **N. J. 130, 22 Mr**
- 3539** Notices to build or repair sidewalks in boroughs to be served on owner or agent or posted on premises. **Pa. 196, 24 My**
- 3540** Common council of cities under 2000 or trustees of town may order construction or repair of sidewalks at expense of adjacent lots; may assess for costs; regulations. **S. D. 79, 8 Mr**
- 3541** Sidewalk built in town in front of farm property to be maintained by town board. Adding §1346b to S.'98. **Wis. 278, 2 My**

**Sewerage.** (See also Drains, 5167)

- 3542** Common councils and boards of trustees of cities and villages under 35,000 may build sewers; procedure. **Ind. 167, 11 Mr**
- 3543** Board of trustees of incorporated towns may build sewers; regulations. **Ind. 179, 11 Mr**

- 3544** Common council of cities not under special charter may by two-thirds vote order construction of sewer; regulations as to construction, assessments, collections, bonds and appeals. **Ind. 231, 11 Mr**
- 3545** Municipal officers or committee chosen by town, when authorized by vote, may lay public drain. Amending R.S.'83 ch.16 §2. **Me. 268, 22 Mr**
- 3546** Creating metropolitan water and sewerage board; 3 members appointed by governor and council; term 3 years; salary of chairman, designated by governor, \$5000, others \$4500; metropolitan water board and board of metropolitan sewerage commissioners abolished. **Mass. 168, 20 Mr**
- 3547** Joint contracts between 2 or more municipalities for maintenance of trunk sewers valid; regulations. Supplementing '99 ch.36. **N. J. 32, 13 Mr**
- 3548** Amending '97 ch.66 as to construction of sewers in towns. **N. J. 40, 13 Mr**
- 3549** '99 ch.169 revising township law does not affect rights of townships which have established sewer systems. **N. J. 59, 19 Mr**
- 3550** Board of managers of charitable, philanthropic, penal or reformatory institutions may with consent of council construct sewers in cities. **N. J. 114, 22 Mr**
- 3551** Municipalities may act jointly concerning sewers. Amending '97 ch.161. **N. J. 199, 22 Mr**
- 3552** Municipalities may provide for construction of sewers; engineer's specifications; bonds; proposed assessments to be published; stay of proceedings; certificates; rates. **N. M. 72, 20 Mr**
- 3553** On petition of majority of property owners of proposed district town board may establish sewer system outside municipality; map and plan to be approved by state board of health; condemnation; assessment of benefits; issue of bonds for unpaid assessments; liens; regulations. **N. Y. 348, 15 Ap**
- 3554** Municipalities may purchase sewer property of drainage corporations; actual value to be determined by condemnation proceedings. **Pa. 55, 19 Ap**
- 3555** Burgess and town council of boroughs may regulate sewer connections. **Pa. 171, 21 My**
- 3556** Increasing powers of township commissioners in matter of sewer construction; private property may be taken by condemnation. Amending '99 ch.86. **Pa. 195, 24 My**
- 3557** On request by board of health, boroughs may confine, pave, or inclose natural waterway; procedure; condemnation; costs may be paid by borough or property benefited, or both; assessment of benefits. **Pa. 320, 10 Jl**
- 3558** Municipality may connect with sewer of other municipality or township; procedure; assessment and payment of damages. **Pa. 338, 17 Jl**
- 3559** Cities of 20,000 may levy taxes and issue bonds for sewerage and drainage purposes; providing for sewer districts, special assessments, and collection of taxes. **Wash. 77, 16 Mr**

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- 3560 10 [formerly 30] days notice to be given of purpose to submit plan of sewerage system to voters; bonds to contain copy of ordinance directing submission. Amending Ballinger's Codes '07 §1077. Wash. 85, 16 Mr
- 3561 Amending S.'98 §025—216, 218, 220 as to procedure in construction of sewers in cities. Wis. 215, 25 Ap

**Special assessments.** (*See also* special purposes of assessment—streets, sidewalks, sewers)

- 3562 **General.** Councils in cities proposing local improvements to appoint board of assessors of benefits; assessment to be annually readjusted; not to exceed in one year 25% of assessed benefit; form of ordinance; publication; clerk's warrant to collector. Amending S.'94 §5323, 5333, 5337; '90 ch.183. Ark. 143, 3 My
- 3563 General amendment to special assessment act concerning local improvement, '97, p.101. Ill. p.101, 9 My
- 3564 Public improvements not to be made if *two thirds* [formerly one half] property owners affected file objection; sewers to be constructed on petition of owners of *one third* [formerly majority] frontage of property affected. Amending '97 p.213. Mon. p.79, 14 Mr
- 3565 Referring to next legislature constitutional amendment providing that counties, cities and towns may levy assessment on part of territory for local improvements. Tenn. p.1266, 19 Ap
- 3566 If objections to local improvements in cities to be paid by assessment of benefits be not made by owners of two thirds of abutting property before time set for levy, council deemed to have jurisdiction. U. 131, 25 Mr
- 3567 Levy and collection of special assessments for local improvements in cities of 20,000; detailed regulations. Wash. 118, 16 Mr
- 3568 After special assessment for improvements in cities has been declared void 3 years, no proceedings for reassessment shall be had. Amending S.'98 §1210d. Wis. 19, 23 F
- 3569 State real estate exempt from special taxes for local improvements. Wis. 250, 2 My
- 3570 **Assessment.** Actions to contest assessments for local improvements in municipalities to be begun within 30 days after confirmation of assessment by local legislative body. Cal. 39, 26 F
- 3571 Assessments for local improvements in cities of 15,000 to be according to *benefits* [formerly in proportion to frontage]. Amending '90 ch.150. Col. 107, 30 Ap
- 3572 Regulating assessment of benefits and damages caused by change of grade of highway by town or corporation. Amending G.S.'88 §2703. Ct. 66, 17 My
- 3573 Towns may reassess and collect taxes for local improvements; regulations. S. D. 83, 5 Mr
- 3574 Amending S.'98 §1210d relating to reassessments of void special assessments in cities. Wis. 9, 21 F



- 3575 Collection.** Action to enforce lien for benefits to real estate caused by public improvement not to be maintained without reasonable inquiry for owner unless he executed waiver entitling him to pay assessment in instalments. Amending '99 ch.86. Ind. 170, 9 Mr
- 3576 Cities over 50,000** to refund unexpended balances of assessments for improvements. Minn. 120, 2 Ap
- 3577 Cities over 50,000** may authorize discharge of special assessments made prior to 1894 if due and delinquent 3 years. Minn. 141, 4 Ap
- 3578 Regulating payment of special assessments in instalments and issue of bonds for street and sewer improvements in cities of 2500.** Amending '93 p.171. Or. p.372, 28 F
- 3579 Regulations governing collection of special assessments for care of sidewalks.** Amending '90 ch.37 art.16 §21. S. D. 75, 8 Mr
- 3580 Special assessment certificates against lands when issued by cities to contractors not to become charge against county; lands to be sold for such taxes; procedure.** Wis. 71, 23 Mr

### Parks. Boulevards

(See also State parks, 3117)

- 3581 Establishment. Support.** Park commissioners may acquire land for small parks. Ill. p.248, 10 My
- 3582 On approval of voters, commissioners may issue 20 year 4% additional bonds for \$500,000 for parks.** Ill. p.249, 20 Mr
- 3583 Commissioners may issue 20 year 5% additional bonds for \$500,000 for small parks and playgrounds.** Ill. p.251, 11 My
- 3584 Commissioners of 2 or more towns may issue 20 year bonds for \$1,000,000 for additional small parks.** Ill. p.252, 10 My
- 3585 Towns within limits of city and coextensive with park district may issue 20 year 5% bonds for \$1,000,000 for additional small parks.** Ill. p.253, 10 My
- 3586 When mayor and council of cities over 15,000 [formerly 30,000] appropriate private property for street or public park purposes, appraisers to ascertain actual value.** Amending '91 ch.40 §1. Kan. 108, 5 Mr
- 3587 Cities not over 2000 may acquire lands for public park; procedure; maintenance; police jurisdiction.** Kan. 116, 28 F
- 3588 Metropolitan park commission may spend \$450,000 additional; 4% scrip certificates to be issued.** Mass. 445, 29 My
- 3589 Treasurer and receiver general to borrow at 4% for not more than 2 years sums necessary for care and maintenance of reservations and parkways under metropolitan commission.** Mass. 454, 5 Je
- 3590 In cities over 50,000 park commissioners and common council may acquire land and levy tax for parks.** Minn. 50, 14 Mr
- 3591 Board of county commissioners may establish parks in counties of 150,000 to 200,000.** Minn. 71, 22 Mr
- 3592 Cities over 50,000 may acquire for park purposes lands adjacent to existing parks; condemnation.** Minn. 139, 4 Ap

- 3593** In cities of 10,000 or less council may appoint 1 park commissioner for each ward; council may acquire land for parks. **Minn. 303, 13 Ap**
- 3594** 4 park commissioners to be elected in each county for 2 years at \$1500; to locate and acquire parks; may condemn land; assessment of benefits and damages and collection of assessment of benefits by sale of land; issue of bonds; act not effective till accepted by voters of county. **N. J. 64, 20 Mr**
- 3595** In counties with fresh-water lakes of 100 acres supreme court justice to appoint lake and park commission of 3 for 3 years with partial renewal; may acquire by condemnation fishing rights in and 10 acres of land adjoining 100 acre lakes, open roads and assess benefits and damages; referendum. **N. J. 161, 22 Mr**
- 3596** Municipalities may secure lands under water fronting public park. Supplementing S.S.'95 p.2785. **N. J. 178, 22 Mr**
- 3597** Cities may acquire private property in or out of city for parks; may annex property outside city by ordinance. Amending '95 ch.257. **Pa. 154, 11 My**
- 3598** Companies may incorporate to establish and improve public parks; may hold necessary real and personal property; issue bonds; separate parks may be established for white or colored races; not to permit sale of liquor within park. Amending '75 ch.142. **Tenn. 167, 22 Ap**
- 3599** Miscellaneous regulations. Election of officers of park district. Amending '93 p.153 §12. **Ill. p.257, 11 My**
- 3600** Park commissioners to have charge of planting and culture of trees; superintendent to be ex-officio forester. **Ind. 192, 11 Mr**
- 3601** Amending '95 ch.450 §7 as to posting and publishing rules of metropolitan park commission. **Mass. 93, 28 F**
- 3602** Governor with advice and consent of council shall fix salary of metropolitan park commissioners for 1901. Amending '93 ch.407 §1. **Mass. 143, 13 Mr**
- 3603** On certificate of auditor money may be advanced to secretary of metropolitan park commission or person designated by him to meet expenses of commission. **Mass. 380, 14 My**
- 3604** Receipts of metropolitan park commission to be paid to state treasurer and constitute metropolitan parks expense fund. **Mass. 464, 6 Je**
- 3605** Cities over 50,000 may provide for appointment by mayor of art commission; 5 members; term 5 years; 1 from art society, 1 selected by park commissioners, 1 by library board, 1 painter, sculptor or architect, and 1 layman to advise with municipality on art questions. **Minn. 154, 6 Ap**
- 3606** Mayors of cities of 30,000 to 100,000 to appoint 3 park commissioners for 3 years; duties. **Mo. p.54, 19 Mr**
- 3607** Governor to appoint 6 park commissioners in cities over 10,000, term 2 years; qualifications and duties; mayors and city clerks ex-officio members. **Mon. p.73, 7 Mr**

- 3608** In cities of 50,000 to 250,000 where park commission has uncompleted general park system commissioners to continue in office till 1904. Amending '98 ch.182. **N. Y.** 525, 24 Ap
- 3609** Exempting from taxation lands used by cities and villages as parks. **Wis.** 415, 14 My
- 3610** **Boulevards. Driveways.** Cities may grant control of street to park commissioners. **Ill.** p.256, 11 My
- 3611** Trustees of villages under 1000 containing under 1 square mile of territory may acquire and maintain private streets as parkways. **N. Y.** 624, 1 My
- 3612** In cities of 1,000,000 board having power to regulate grounds for park purposes may set apart roadway and prescribe rate of speed; rate not to be affected by special act of legislature. **Pa.** 10, 28 F

### Cemeteries

- 3613** **Public cemeteries.** Township boards may acquire for cemetery not over 5 acres of unsold school lands situated on section or quarter section boundary lines. **Kan.** 397, 6 Mr
- 3614** By majority vote of electors incorporated village may acquire land for cemetery purposes; village council to be board of trustees. Amending '99 ch.264. **Minn.** 343, 13 Ap
- 3615** Public may obtain title to land used as public burial ground for 10 years. **Mo.** p.54, 9 Mr
- 3616** Providing for appointment of cemetery trustees in towns annexed to or consolidated with other municipalities. Amending '90 ch.569 art.8. **N. Y.** 320, 11 Ap
- 3617** Town boards in towns without cemetery trustees may care for burial grounds; cemeteries not used for burials to be cared for annually by highway commissioner. Amending '90 ch.569 §195. **N. Y.** 386, 17 Ap
- 3618** Owner of land not over 2 acres 2 miles from incorporated city or village may have it reserved for cemetery by filing plat and dedication deed with auditor; title to remain in owner; exempt from taxation. **Wash.** 147, 18 Mr
- 3619** Trustees may extend public burial grounds at need by condemning neighboring land not over 5 acres. Amending C.'99 ch.42 §2a. **W. Va.** 63, 21 F
- 3620** **Cemetery associations.** Cemetery corporation may hold title to lot given it in trust for perpetual care; may hold in trust property whose income is to be used to improve cemetery; investments. Amending C.C. §612, 616. **Cal.** 267, 25 Mr
- 3621** Associations incorporated under laws of state for cemetery purposes to have same power as cities in buying and selling land. Amending R.S.'99 ch.21 §5. **Ill.** p.94, 11 My
- 3622** Organization, regulation and dissolution of cemetery corporations in cities over 45,000. **Kan.** 102, 1 Mr
- 3623** Name of cemetery may be changed by district court on application of owners. Amending G.S.'94 §3135. **Minn.** 36, 13 Mr
- 3624** Cemetery association may hold 300 [formerly 160] acres. Amending '94 §3096. **Minn.** 220, 10 Ap

- 3625** Cemetery associations may operate greenhouses; may deposit permanent care and improvement fund under \$10,000 in savings banks. **Minn.** 224, 10 Ap
- 3626** Managers of cemetery corporations may defer annual election. Amending '99 ch.140. **N. J.** 36, 13 Mr
- 3627** Cemetery associations may convey land in fee simple to religious corporations. **N. J.** 154, 22 Mr
- 3628** Directors of cemetery corporation and majority of members at meeting may change name of corporation; certificate to be filed with secretary of state. **N. J.** 169, 22 Mr
- 3629** Directors of cemetery association may make such rules and regulations as they deem proper; penalty for violation. Supplementing G.S.'95 p.349 ¶1. **N. J.** 176, 22 Mr
- 3630** Amending '95 ch.559 §44 regarding meetings for election of directors of cemetery corporations. **N. Y.** 415, 18 Ap
- 3631** Lots in cemeteries owned by corporations not for profit may be transferred on books of corporation with force of recorded deed. **Pa.** 281, 19 Je
- 3632** Officers of cemetery associations may have adjacent land condemned if necessary to extend boundaries. **S. D.** 69, 8 Mr
- 3633** **Miscellaneous.** Cities over 2500 may prohibit burial in abandoned cemeteries and cause removal of dead; property subject to taxation. **Ark.** 102, 15 Ap
- 3634** State treasurer may receive money declared in writing to be used to improve cemetery lots in cemeteries not owned by corporation; regulations as to investment; payment of interest. **Mass.** 351, 1 My
- 3635** Misdemeanor to deface or destroy tombs, monuments, plants or fences appertaining to cemeteries; penalty. **N. M.** 60, 20 Mr
- 3636** Land dedicated for family cemetery already used for burial purposes may exceed 3 acres and be within 100 rods of dwelling; dedication deed may provide for trustees and government. Amending '95 ch.550 §57. **N. Y.** 390, 17 Ap
- 3637** Burial lots exempt from taxation; vendor of gravestones to have lien. Amending Hill's Anu. L. §3326. **Or.** p.378, 28 F

### Roads and bridges

(See also Grade crossings, 4520)

#### General system and administration. Officers

- 3638** **General laws.** Fixing powers and duties of county commissioners and highway officers; *road district* taxes not to contribute to current expense fund. Amending R.S.'99 p.127 §870; p.270 §1712. **Id.** p.82, 7 Mr
- 3639** General road and bridge law in counties not under township organization; counties divided into districts with supervisor over each appointed by county board. **Ill.** p.275, 10 My
- 3640** District road commissioners to receive \$5 to \$20 a year, as fixed by county court, and clerk \$5 additional; annual report in February [formerly November]; poll tax \$2 to \$4 [formerly

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- \$1.50 to \$3] on every *able-bodied* male of 21 to 50 [formerly 21 to 60]; may be paid in labor at \$1 a day or \$2 for hand and team. Amending R.S.'99 §9427-37. Mo. p.233, 13 Mr
- 3641** Establishing uniform system of road administration in counties; commissioners to divide counties into road districts and to appoint 3 trustees for each; later trustees chosen by electors; regulations. 22p. Mon. p.18, 11 Mr
- 3642** Board of county commissioners to let contracts for roads and bridges; members to be supervisors; salary \$3 a day for 60 days; city or town appropriation; duties of surveyor; bidder under bond; township trustee to be supervisor; collection and use of delinquent poll taxes; boards may change highways; county tax of 10 mills; township tax of 5 mills; one half liquor license fund available; township lines and width of bridges. Okla. 27 art.3, 8 Mr
- 3643** Codifying road law; commissioners of counties of 40,000 to be ex-officio road commissioners; convicts to work; powers of road overseers; to apply to counties adopting. Tex. 114, 18 Ap
- 3644** State road system. State aid. Submitting constitutional amendment allowing legislature to establish and maintain state highways. *Vote November 1902.* Cal. p.960, 13 Mr
- 3645** State highway commissioner allowed for traveling expenses \$1200 [formerly \$750], for office expenses \$4450 [formerly \$3000]; *biennial* [formerly annual] report; town may make improvements under \$1000 [formerly \$500]; powers of commissioner when selectmen fail in duty; amount paid by state for roads not to exceed \$225,000 [formerly \$175,000] annually; salaries of inspectors not to exceed \$10,000 [formerly \$6000]. Amending '99 ch.175 §2-11. Ct. 149, 17 Je
- 3646** Towns may establish state roads and receive aid from state; application to secretary of state; regulations; \$15,000. Me. 285, 22 Mr
- 3647** Authorizing state highway loan of \$500,000; registered bonds to be issued by treasurer at not over 4% nor longer than 30 years. Mass. 269, 10 Ap
- 3648** Cities and towns may agree to indemnify state against claims for damages by construction of state highways. Mass. 345, 1 My
- 3649** State highway commission to have management and maintenance of road machinery of commonwealth. Mass. 416, 17 My
- 3650** 5% of amount for state highways to be spent in town of not over \$1,000,000 valuation; 5% may be spent in towns over \$1,000,000 on condition of equal appropriation in excess of average road expenditures of town. Amending '00 ch.432. Mass. 433, 23 My
- 3651** Governor to appoint legislative committee on highway improvement to investigate and report to next legislature. Mich. p.400
- 3652** Submitting constitutional amendment authorizing legislature to levy tax for roads and bridges. *Vote November 1902.* Minn. p.III, 18 Ap

- 3653** Commissioner of agriculture and state geologist to be North Carolina highway commission; to select secretary from department of agriculture; aid county and township authorities, make rules for employment of prisoners, issue bulletins; duties of county commissioners and supervisors; bridges and ferries; road taxes. 23p. **N. C. 50, 13 Mr**
- 3654** Town board *may* [formerly shall not] alter or discontinue state road; conditions. Amending S.'98 §1265. **Wis. 388, 13 My**
- 3655** Referring to next legislature amendment to constitution art.8 §10 authorizing state taxation to improve highways. *Not repassed by legislature of 1901.* **Wis. j.r.1, '99**
- 3656** County, town and district roads. County court or judge may appoint road commissioners in new district or to fill vacancy. Amending '99 ch.200. **Ark. 44, 12 Mr**
- 3657** Repealing '97 ch.6 relating to appointment and duties of road commissioners. **Ark. 49, 16 Mr**
- 3658** County clerk to deliver commissions to road overseers and apportioning justices of peace by registered mail; fees. **Ark. 215, 23 My**
- 3659** Formation of permanent road divisions; petition; hearing; boundaries; petition for road improvement and special tax to be signed by 10 resident freeholders and presented to board of supervisors; board to order election; bonds; contracts. Adding §2745-72 to P.C. **Cal. 117, 13 Mr**
- 3660** Board of supervisors may fence county highway any time within 5 years. Adding §2647 to P.C. **Cal. 207, 23 Mr**
- 3661** County commissioners may prescribe width of roads to be 30 feet or more and prohibit cutting of shade trees within 15 feet of center; road commissioner or overseer to report offenders. **Fla. 121, 31 My**
- 3662** Subdivision of townships into 3 road commissioners districts; *redvision not oftener than once a year.* Amending R.S.'99 ch.139 §16. **Ill. p.309, 10 My**
- 3663** Boards of county commissioners may construct gravel, paved or macadamized roads on routes where there are no established highways. Amending '77 ch.47 p.82. **Ind. 51, 1 Mr**
- 3664** County commissioners are road directors; may divide free gravel, turnpike or macadam roads into districts and appoint superintendents to take charge of repair; regulations as to labor. **Ind. 202, 11 Mr**
- 3665** On petition of 50 freeholders county commissioners of county containing city of 30,000 to submit to voters question of improving roads; regulations as to construction and issue of bonds. **Ind. 205, 11 Mr**
- 3666** Declaring counties over 8000, road districts; commissioners may submit to voters levy of good roads tax; duties; petition of resident property owners; procedure. **Kan. 363, 14 F**
- 3667** Highway overseers to have brush on highways cut annually before Nov. 1 in counties adopting act; regulations as to time and material for repairs. **Mich. 74, 22 Ap**

- 3668 County commissioners may issue 10 year 4% certificates of indebtedness to pay debts for public roads. Minn. 181, 9 Ap
- 3669 In counties over 200,000 board of county commissioners to have exclusive control of road and bridge fund; manner of expenditure. Minn. 240, 11 Ap
- 3670 Road districts to include 1 to 6 school districts and to have same boundaries except when in 2 counties; road overseer to be elected by ballot at annual school meeting. Amending R.S.'99 §9648-50. Mo. p.236, 25 Mr
- 3671 Amending R.S.'99 ch.151 by adding §9696a-z relating to division of counties into road districts; may be adopted by counties in lieu of §9424-45; road districts to include 1 to 6 school districts and to have same boundaries except when in 2 counties; road overseer elected like school trustees. Mo. p.237, 26 Mr
- 3672 Townships to be divided into not more than 4 districts, each to have road overseer chosen at biennial election for 2 years; duties; road tax not to exceed 15c [formerly 20c]; poll tax of \$1 to \$3 on persons 21 to 50 [formerly 60]. Amending R.S.'90 §10321-36. Mo. p.253, 8 Mr
- 3673 County commissioners to divide counties polling 1800 votes into road districts; road supervisor to be elected for each district at county election; duties; compensation. Nev. 80, 19 Mr
- 3674 Boards of chosen freeholders may make regulations for use of highways under their control. N. J. 147, 22 Mr
- 3675 On petition of some of owners of lands along street or highway township committee may pass ordinance to improve; contracts; appointment of commissioners to assess benefits; review of assessment; issue of 6% 3 year improvement certificates. N. J. 163, 22 Mr
- 3676 County commissioners to appoint road supervisor for each precinct annually; bond; duties; compensation; work or payment required of able-bodied males 21 to 60; regulations; penalties. N. M. 40, 18 Mr
- 3677 Amending '90 ch.568 §19 as to time of highway commissioners report to town board. N. Y. 35, 22 F
- 3678 Directing manner of removal of stone from highway by overseer; penalties. Amending '90 ch.568 §20 subdiv.5. N. Y. 54, 28 F
- 3679 Board of supervisors may apportion expense of maintaining improved highway to town or towns benefited. Amending '98 ch.115 §12. N. Y. 109, 14 Mr
- 3680 By resolution at annual meeting board of supervisors may change time of appointing overseers of highways. Amending '90 ch.568 §4. N. Y. 125, 19 Mr
- 3681 Highway commissioners to require overseers to inspect roads and bridges and report annually. Amending '90 ch.568. N. Y. 129, 19 Mr
- 3682 In counties adopting county road system board of supervisors may [formerly shall] appoint county engineer. Amending '90 ch.568 §55. N. Y. 239, 2 Ap
- 3683 Amending '90 ch.568 §4 as to inspection of roads and bridges by highway commissioners. N. Y. 437, 18 Ap

- 3684 Highway commissioners of towns with improved roads to care for under direction of state engineer. Amending '98 ch.115. N. Y. 464, 22 Ap
- 3685 Abolishing office of highway commissioner in towns of under 2 square miles where five sixths of area is in incorporated village; town board to perform duties of commissioner. Amending '90 ch.569. N. Y. 583, 27 Ap
- 3686 Township board *may* [formerly shall], on petition in writing of majority of freeholders, purchase road machinery. Amending R.C.'99 §1115b. N. D. 147, 8 Mr
- 3687 Amending R.C.'99 §1143 as to reports of road overseers; to state amount of material bought and condition of road machinery. N. D. 148, 7 Mr
- 3688 *Road overseer*, supervisor, township clerk, assessor, treasurer and constable to qualify within 10 days after notification of election. Amending R.C.'99 §2564. N. D. 204, 12 Mr
- 3689 County commissioners may levy tax for 10 [formerly 5] years to complete free turnpike. Amending R.S. §4812. O. p.85, 11 Ap 86. *Partly unconstitutional*. Retroactive as to turnpikes constructed before passage and forbidden in const. art.2 §28. *Miller v. Hixson* 59, N. E. 749.
- 3690 County or commissioners court to levy tax not over 10 mills on taxable property to improve county roads; court or commissioners may appoint county road superintendent. Or. p.105, 25 F
- 3691 District road supervisors to be elected in election precinct; term 2 years. Or. p.288, 27 F
- 3692 Persons owning land over which county road is desired, may deed to county court. Amending Hill's Ann.L. §4062. Or. p.371, 26 F
- 3693 Township authorities may lay out road which is extension of city street, of same width as street. Pa. 18, 18 Mr
- 3694 On petition of county commissioners court of quarter sessions may vacate improved road. Pa. 80, 1 My
- 3695 County commissioners may build road leading to county bridge when expense is too burdensome for town or city; approval by court. Pa. 174, 21 My
- 3696 Commissioners in townships of 300 to square mile may make contracts with taxpayers for repair and improvement of public roads. Supplementing '99 ch.86. Pa. 198, 24 My
- 3697 Fixing penalty for neglect or refusal of township officers to remove stones from highways. Amending '99 ch.112. Pa. 307, 2 JI
- 3698 County commissioners may issue bonds not over 1% of taxable property in county for building and improvement of public roads. Pa. 318, 10 JI
- 3699 Abandoned turnpikes to be county roads. Pa. 328, 10 JI
- 3700 Creating county boards of public road commissioners in counties of 70,000 to 90,000; 3 members elected for 2 years; general regulations. 9p. Tenn. 8, 8 F



- 3701 Counties owning turnpikes may levy special road tax for improvement and maintenance not over 10c on \$100 nor 25% of county privilege tax for other purposes. **Tenn. 135, 17 Ap**
- 3702 County court of counties over 70,000 to elect road commissioner for each district for 2 years; to fix number of days to be worked by road hands; to levy 2c per \$100 for each day assessed; commissioner to name overseers; classification of roads; bridges; turnpikes; regulations. **Tenn. 136, 22 Ap**
- 3703 County commissioner to receive not over \$300 [formerly \$125] a year for services as road commissioner. Amending '99 ch.80 §16. **Tex. 118, 29 Ap**
- 3704 Amending C.'99 ch.43 §56a relating to alternate roads; contractor to furnish bond in double amount of bid; to repair road by June [formerly July] 1; minor specifications. **W. Va. 42, 15 F**

#### Details of management

- 3705 Location. Opening. Vacation. Land may be condemned for grading, improving, turnpiking, paving or widening public roads; county authorities may decline condemned land; notice to owner deemed commencement of condemnation proceedings. Amending '97 p.107. **Ga. p.66, 19 D 00**
- 3706 Time of legal proceedings against highway commissioners responsible for failure to open road not to be part of 2 year limit. Amending R.S.'99 ch.121 §55. **Ill. p.275, 11 My**
- 3707 Public roads may be established, altered or vacated along line of railroad right of way or stream of water on county line; petition to be signed by 12 or two thirds of resident landowners within 2 [formerly 3] miles. Amending R.S.'99 ch.121 §57. **Ill. p.292, 10 My**
- 3708 Owners of land through which highway is opened to be allowed by county commissioners reasonable compensation for gravel, sand or stone taken and crops destroyed. Amending '74 ch.108 §12. **Kan. 296, 5 Mr**
- 3709 Commissioner to serve personal notice of hearing on highway application on owners of vacant lands residing in county [formerly township]; not to appropriate over \$100 for highway or bridge without consent of township board; appeal from township board to circuit court in cases over \$200; overseer not to work over 5 days in addition to assessed time. Amending C.L.'97 §4038, 4040, 4043, 4176. **Mich. 142, 21 My**
- 3710 On petition of owner supervisors to lay out new road to isolated 10 acre tract and assess cost on land so connected. Amending G.S.'94 §1806. **Minn. 204, 10 Ap**
- 3711 Amending '95 ch.47 as to laying out or discontinuance of highways. **Minn. 213, 10 Ap**
- 3712 Damages from opening or altering county roads to be paid for from general county fund. **Neb. 55, 20 Mr**
- 3713 When boundaries of proposed improved highway deviate from established road, board of supervisors may pay \$100 to owner for land needed; for payments over \$100 condemnation necessary; procedure. Supplementing '08 ch.115. **N. Y. 240, 2 Ap**

- 3714** Commissioners appointed to determine necessity of laying out highway to include in certificates estimate of cost. Amending '90 ch.568 §86. N. Y. 441, 20 Ap
- 3715** When boundaries of road laid out by viewers are confirmed by court and road is opened to travel, boundaries shall not be changed without process of law. Pa. 280, 19 Je
- 3716** Proceedings of township road commissioners in laying out or vacating road may be reviewed on certiorari by court of common pleas. Pa. 303, 2 Jl
- 3717** Lands taken for highway to be opened within 2 [formerly 6] months; within 6 months if containing buildings. Amending S.'94 §3300, 3373. Vt. 49, 27 N 00
- 3718** On petition of 10 freeholders for vacation of road and on bond for payment of costs, county commissioners to give hearing and may vacate road. Repealing Ballinger's Codes '97 §3798-9. Wash. 90, 16 Mr
- 3719** Amending Ballinger's Codes '97 §3774-79 relating to establishing and opening public roads. Wash. 96, 16 Mr
- 3720** Taxpayer may appeal from award of damages for laying out, altering or discontinuing highway; procedure. Wis. 331, 8 My
- 3721** Roads on boundaries. Proceedings in cases of disagreement of highway commissioners concerning roads on boundaries. Amending '90 ch.568 §94. N. Y. 162, 22 Mr
- 3722** Obstruction. Injury to road. Misdemeanor to injure road by hauling heavy loads and not repair within 30 days; civil action may be brought for damages. Amending '93 ch.62 and '99 ch.109. Fla. 62, 1 My
- 3723** Road commissioner [formerly selectmen] to repair damages and collect cost from person injuring highway by chaining wheel, improper shoe or brake. Amending S.'94 §3520. Vt. 50, 26 N 00
- 3724** Misdemeanor to deface sign or mlleboard erected by authority of county, or board erected by private parties approved by town or county and containing words "by authority." Wash. 28, 28 F
- 3725** Damages through defects. In suits for damages from defective highway or bridge burden of proof as to negligence to rest on county if supervisor had been notified. Amending R.S.'93 §1169. S. C. 375, 19 F
- 3726** Shade trees. Town may elect tree warden for 1 year; compensation and duties; appropriation of 50c per poll for shade trees; procedure for removing; penalty for affixing notices or injuring trees; extermination of insect pests. Ct. 174, 17 Je
- 3727** On petition of freeholders, county commissioners to have shade trees planted along public roads; regulations. Fla. 74, 31 My
- 3728** Amending Crim.C. §91 as to penalty for maliciously injuring trees, shrubs, bushes or vines on public grounds and roads. Neb. 97, 29 Mr
- 3729** Amending '95 ch.98 relating to protection of shade trees in highways; mayor of cities and selectmen of towns to appoint an-

- nually 1 or more tree wardens; private trees may be purchased; towns and cities may appropriate not over 50c per poll for use of warden; defacement prohibited; brush fires regulated. Amending '95 ch.85. N. H. 98, 22 Mr
- 3730** Boroughs may require planting of trees along public streets by abutting property owners. Pa. 275, 17 Je
- 3731** \$1 for each 2 trees planted by roadside; abatement not over 25% of road tax. Pa. 306, 2 Jl
- 3732** City councils may raise money for planting and cultivating shade trees. Amending Ballinger's Codes '97 §943. Wash. 113, 16 Mr
- 3733** Misdemeanor to injure or destroy trees or shrubs on highway. Wash. 145, 18 Mr
- 3734** **Private roads.** Circuit court to establish private road from county land when petitioned by county prosecuting attorney under township organization. Adding §10355a to R.S.'90. Mo. p.257, 13 Mr
- 3735** On petition of association, partnership or corporation for road from lands or leaseholds to highway, court of quarter sessions to order view and report of proposed road. Amending '36 ch.169. Pa. 32, 4 Ap
- 3736** Private road to coal, iron ore, clay, marble or sand deposits not to be ordered opened till damages assessed by viewers and secured by bond shall be paid to owner of land affected. Amending '97 ch.173. Pa. 166, 17 My
- 3737** Applicant for private road to give owner or resident agent of lands to be crossed 30 days notice in writing, or by publication; board of county commissioners to appoint 3 appraisers; appraisers may adjourn from time to time; to assess damages and make plat of road. Amending R.S.'99 §1933. Wy. 11, 9 F
- 3738** **Encroachments.** County commissioners in counties of 4000 may allow persons to maintain gates across public roads traversing property. Amending '74 ch.108 §13. Kan. 295, 28 F
- 3739** **Wide tires.** Time of taking effect of '99 ch.225 fixing width of tires used on highways extended to July 1903 [formerly 1902]. Ct. 34, 19 Ap
- 3740** Fixing weight of load which may be hauled and size of tires to be used when turnpike, gravel or macadam road is thawing through. Amending '89 ch.10. Ind. 41, 28 F
- 3741** Repealing '95 ch.342 providing for encouragement of wide-tired wagons by releasing owners from part of road tax. Minn. 18, 28 F
- 3742** Persons hauling loads of 2000 pounds on wagon with tires 4 inches wide shall be credited with one fourth of road tax; \$5 fine for hauling loads of 5 tons on wagons with tires less than 4 inches wide. Pa. 71, 24 Ap
- 3743** Regulations of proportional size of axle to width of tire on vehicles not to apply to wooden axles. Amending '97 ch.456. R. I. 854, 29 Mr
- 3744** **Weeds.** Landowners to mow weeds on public roads July 15 to Aug. 15; on failure, overseer of roads to have expense charged as assessment against lands. Neb. 58, 27 F

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- 3745 Automobiles.** Speed of motor vehicles not to exceed 15 miles an hour outside city limits or 12 miles inside; speed to be reduced at crossings and when approaching horses; municipalities not to make ordinances respecting speed of motor vehicles; mayor of city may grant permits for greater speed on special occasions. Ct. 69, 21 My
- 3746** Cities and towns may regulate speed of automobiles. Mass. 192, 26 Mr
- 3747** Board of supervisors may limit speed of automobiles to 8 miles an hour in built up and 15 miles in other districts; owner of automobile must register with secretary of state; fee \$1; to carry 1 red and 2 white lamps. Amending '90 ch.568, §155, 162, 168. N. Y. 531, 25 Ap
- 3748 Bicycles and bicycle paths.** Municipalities may tax bicycles, tricycles, automobiles and other vehicles \$1 annually if money is used for constructing sidepaths; regulations. Cal. 149, 16 Mr
- 3749** Bicycle riders and others directing vehicles doing injury must give name and residence. Amending '97 ch.91. Ct. 91, 29 My
- 3750** On petition of 50 citizens county commissioners to appoint resident cyclist as sidepath commissioner for 2 years without compensation; to build sidepaths outside city limits with license money; fee not over \$1. Ct. 180, 17 Je
- 3751** On petition of 50 resident wheelmen, county judge may appoint sidepath commission; 4 members; term 4 years; may build paths along road or street with approval of county commissioners or common council; paths 2 to 6 feet wide; licenses; funds and reports; regulations. Fla. 64, 27 My
- 3752** On petition of 200 resident wheelmen county commissioners in counties over 50,000 may appoint 5 sidepath commissioners to construct and supervise sidepaths; licenses; fee 50c to \$1; annual report. Minn. 126, 2 Ap
- 3753** Misdemeanor to ride bicycle on sidewalk or footpath in street containing bicycle path. Amending Pen.C. N. Y. 560, 26 Ap
- 3754** County court or board of county commissioners may build bicycle paths and levy tax of \$1 on each bicyclist in county. Or. p.101, 25 F
- 3755** Governor and senate to appoint member of state sidepath commission annually at January session of assembly; term 5 years beginning February 1. Amending '00 ch.757 §1. R. I. 809, § 58, 29 Ja
- 3756** On petition of 50 residents, county judge may appoint 5 or 7 sidepath commissioners to build sidepaths and license bicycles; regulations. Wis. 308, 6 My
- 3757 Miscellaneous regulations.** Board of supervisors may maintain oil tanks for purpose of sprinkling roads with oil. Amending P.C. §2643. Cal. 223, 23 Mr
- 3758** Rubber-tired vehicles to show light at night; officer shall release prisoner who offers \$5 or his vehicle as security for appearance in court. Amending '90 ch.189, 196. Ct. 100, 3 Je

- 3759 Misdemeanor to fasten horse on highway adjoining land whose owner has supplied accommodations for tying. Ct. 136, 11 Je
- 3760 District judges to provide grand juries with full text of statutes as to guideboards on public highways. Nev. 11, 23 F
- 3761 Exempting cities and taxing districts organized under '79 ch.11 from provisions of '91 ch.31 protecting real estate owners from damage by changing grade or working highways. Tenn. 153, 18 Ap
- 3762 Repealing S.'94 §3526 requiring operator of steam vehicles on public highways to send person one eighth of mile in advance. Vt. 51, 17 N 00

**Road taxes and work**

- 3763 Local taxes and funds. County election commissioners to canvass vote for road tax. Ark. 146, 23 My
- 3764 One fifth of road tax raised in cities over 5000 to be applied to road and bridge building outside limits at discretion of county judge. Ark. 192, 23 My
- 3765 By two-thirds vote board of supervisors may pay money from general road and county funds to aid tunnel construction. Amending P.C. §2712. Cal. 192, 23 Mr
- 3766 Amending P.C. §2651 relating to establishment of general road fund by board of supervisors. Cal. 217, 23 Mr
- 3767 Residents of counties where commissioners levy special road tax exceeding 1 mill exempt from road work. Amending '95 ch.17 §22. Fla. 54, 30 My
- 3768 Regulating collection of 10 mill road tax; county commissioners may levy. Id. p.78, 5 Mr
- 3769 Illegal to use additional tax levy for roads and bridges for any purpose not specified. Amending R.S.'99 ch.121 §14. Ill. p.274, 11 My
- 3770 In counties over 150,000 highway tax to be paid in money; board of supervisors to appoint 3 township overseers of highways. Minn. 256, 11 Ap
- 3771 Supervisors may assess road tax of  $\frac{1}{2}\%$  in addition to that voted at annual meeting. Amending '95 ch.46 §6. Minn. 295, 13 Ap
- 3772 Amending C.S.'99 ch.78 §76, 78-80, 82 as to payment and expenditure of county road tax, allowance for labor and preference in employing resident labor. Neb. 56, 15 Mr
- 3773 Amending C.S.'99 ch.78 §91-94, 96 as to district road fund in townships; in counties under township organization, road tax to be paid in cash; regulations. Neb. 57, 11 Mr
- 3774 In towns where money system of working highways has been adopted but not put in operation, law not to take effect till next meeting of county board of supervisors. N. Y. 60, 6 Mr
- 3775 Amending '90 ch.568 §52 as to time change in system of taxation for working highways shall take effect. N. Y. 150, 21 Mr
- 3776 Amending R.C.'99 §1229 as to levy of county road and township taxes; electors at annual township meeting may vote road tax for highways in adjoining township. N. D. 151, 13 Mr

- 3777 County commissioners may levy tax for 10 [formerly 5] years for completing free turnpike. Amending R.S. §4812. O. p.85, 11 Ap 86. *Partly unconstitutional*. Retroactive as to turnpikes constructed before passage and forbidden in const. art.2 §28. Miller v. Hixson 59, N. E. 749.
- 3778 Providing for payment of poll and road taxes in money; poll tax \$2 for males 21 to 50; county commissioners may divide county into 4 road districts and levy 9 mill tax, 3 mills for county and 6 for districts; may appoint road supervisors for each district at \$4 a day; act to be adopted by majority of voters of county to be operative. Wash. 133, 18 Mr
- 3779 Electors at annual meeting may vote 2½ mill tax for improvement of highways; county aid may be secured; procedure. Wis. 312, 8 My
- 3780 On vote of majority of electors of town and petition of majority of highway taxpayers of district, town board to order road tax to be paid in money. Wis. 332, 8 My
- 3781 Poll tax and road work. Persons liable to work on roads and bridges 3 [formerly 5] days annually, 2 [formerly 3] days in 1 month; county court not to increase time. Amending '97 ch.6 §13. Ark. 20, 23 F
- 3782 Persons residing in corporate limits of city or town and required to labor on streets or pay tax in lieu thereof, to be exempt from labor on public roads. Amending '99 ch.200. Ark. 162, 23 My
- 3783 County road commissioners may levy per capita road tax of not over \$4 to be collected as poll taxes and take place of requirement of 2 days' labor. Amending R.S.'87 §880. Id. p.297, 22 Mr
- 3784 7 [formerly 20] days imprisonment for nonpayment of poll tax. Amending '88 ch.390 §18. Mass. 408, 17 My
- 3785 County court may require poll taxes to be paid in money. Amending R.S.'99 §9441. Mo. p.235, 19 Mr
- 3786 Men 21 to 50 to pay road poll tax of \$3; district supervisor to collect. Or. p.108, 25 F
- 3787 Nonresident desiring to pay road tax in labor to notify road overseer by June 1. Amending O.L. §1276. S. D. 49, 11 F
- 3788 Between January [formerly April] 1 and November 30 [formerly 1] road supervisor shall give 2 days notice of time, place and amount of road work required from each person. Amending R.S.'98 §1137, 1744. U. 15, 26 F
- Toll roads**
- 3789 Date and duration of toll road franchise and when rates of toll were last fixed to be posted at gates. Amending C.C.'99 §516. Cal. 10, 14 F
- 3790 Regulating abandonment of highways by turnpike companies. Pa. 221, 4 Je
- 3791 Turnpike companies with 2 gates within 5 miles may move them farther apart; regulations. Tenn. 24, 6 Ap

- 3792 Public purchase and control.** Boards of county commissioners may issue 6% 20 [formerly 10] year bonds to pay for toll roads. Amending '95 ch.82. Ind. 39, 28 F
- 3793 Road controlled by corporation shall pass to county on expiration of charter; corporation collecting tolls thereafter shall be prosecuted.** Amending R.S.'99 §9547. Mo. p.235, 3 Ap
- 3794 Acquiring turnpike roads for public use, on petition to state road commissioner by two thirds of owners of property fronting turnpike road governor shall appoint 5 commissioners to fix value; one third cost paid by state; balance by county and abutting property owners; method of assessing benefits.** N. J. 132, 22 Mr
- Bridges.** (See also Railway bridges, 4487)
- 3795 Cities over 2500 and incorporated towns may build and maintain bridges.** Ark. 179, 23 My
- 3796 State to pay annually \$500 to municipality owning drawbridge crossed by street railway.** Ct. 145, 14 Je
- 3797 Common council of cities over 50,000 may issue bridge bonds.** Minn. 61, 16 Mr
- 3798 Cities over 50,000 may build or purchase bridge over canal.** Minn. 75, 22 Mr
- 3799 Counties may unite with municipal corporations in erection and regulation of bridges; may issue 10% bonds.** Tenn. 99, 26 Mr
- 3800 Counties may join with cities in constructing bridges.** Wash. 70, 13 Mr
- 3801 Cities, villages, towns and counties may issue bonds to build bridges and levy toll; fixing rates of toll.** Amending S.'98 ch.52. Wis. 430, 14 My
- 3802 Bridges on boundaries.** Board of aldermen in cities of 500 to 3000 may issue bonds for bridges over county line within 1 mile of city limits; part expense borne by counties. Amending R.S.'99 §5968. Mo. p.70, 25 Mr
- 3803 County commissioners may rebuild abandoned or destroyed bridges of private corporations if on boundary of county; bridge shall be free to public; no private corporation shall have right of way thereon.** Amending '97 ch.39. Pa. 160, 13 My
- 3804 County commissioners to rebuild bridges over streams between counties; state to pay 50%; board of property to have joint charge of contracting and constructing.** Amending '01 ch.160. Pa. 311, 9 Ji
- 3805 Miscellaneous.** Misdemeanor to ride or drive faster than walk over bridge longer than 30 feet. Ark. 36, 7 Mr
- 3806 Amending '91 ch.33 §3 relating to town and county responsibility for bridge repairs.** S. D. 67, 1 Mr
- 3807 County commissioners and township supervisors to maintain guard-rails on bridges.** S. D. 68, 5 Mr

# **Military Regulations**

## **Militia. National guard**

- 3808 **General and miscellaneous.** Adding to each regiment of militia hospital corps not over 25, 1 surgeon rank of major, 1 surgeon rank of captain, 1 hospital steward; when 2 or more companies are in same town senior field officer to command and muster; bands of not under 17 musicians and muster attendance of 90% to receive \$16.66% a month. Amending '98 p.136.  
Ala. p.201, 5 Mr
- 3809 Independent military organizations of civil war veterans may become part of national guard of state; regulations.  
Cal. 95, 8 Mr
- 3810 Amending P.C. relating to organization of national guard.  
Cal. 184, 23 Mr
- 3811 Commissioned officer who has served 3 [formerly 5] years may be retired. Amending '95 ch.333 §79-80. Ct. 6, 19 Mr
- 3812 Officer of active militia responsible for property issued by quartermastergeneral to report annually Sep. 30 amount and condition of property in his possession; annual allowance of \$25 to \$75 to commandants for care of property. Amending G.S.'88 §3170, 3198. Ct. 144, 14 Je
- 3813 Amending '95 ch.333 §15-82, '95 ch.103 and G.S.'88 §3216 as to organization of militia. Ct. 147, 17 Je
- 3814 Adding to artillery battalion of state militia 4 2d lieutenants, quartermaster sergeant and commissary sergeant. Amending '99 ch.23. Fla. 127, 30 My
- 3815 Adding to each division of naval militia engineer officer and surgeon each with rank of ensign; governor's staff to include naval secretary with rank of captain. Amending '97 ch.55. Fla. 129, 9 My
- 3816 No person to be commissioned in state troops except staff of commander in chief unless favorably reported by military examining board; adding to regimental organization captain, 1st lieutenant, 3 2d lieutenants and 2 color sergeants; expense of annual encampment not over \$15,000 [formerly \$10,000]. Amending '99 ch.23. Fla. 153, 9 My
- 3817 Amending '99 p.60 by adding one battalion of heavy artillery to military forces. Repealing '99 p.60 §15 prohibiting unauthorized wearing of uniform or insignia. Ga. p.84, 18 D 00
- 3818 Amending R.S.'99 ch.129 art.2, 9 relating to organization of national guard and naval militia. Ill. p.243, 11 My
- 3819 \$75,000 [formerly \$45,000] annually for military fund; various amendments to military code. Ind. 255, 12 Mr
- 3820 Organization and government of militia; duties of officers; compensation. Repealing G.S.'97 ch.128 §1-38; '99 ch.166 §1-6, 8, 21p. Kan. 255, 2 Mr
- 3821 Militia officers may be retired after 9 years service or for physical disability; duties. Me. 159, 1 Mr



- 3822 Amending '93 ch.286 relating to reenlistment of militia; strength of companies and regiments; appointment of examining board, penalty for destroying state or government property. Me. 167, 6 Mr
- 3823 \$4000 for instruction in riding to militia officers. Mass. r. 99, 10 Je
- 3824 Revision of laws relating to militia; not to affect naval militia. 28p. Mich. 204, 3 Je
- 3825 Amending military code as to organization of national guard. Minn. 162, 6 Ap
- 3826 Salary of assistant adjutant general of national guard \$1500. Minn. 289, 13 Ap
- 3827 Military academy at Mexico made post in national guard; governor to appoint committee of 3 recommended members to inspect annually; to appoint and commission officers of school. Adding §8728a to R.S.'99. Mo. p.120, 27 F
- 3828 Amending '95 ch.59 relating to militia; use of certain funds; change of rank of staff officers; commander in chief may order purchase of rations; commissioned officers serving 10 years may be placed on retired list. N. H. 25, 20 F
- 3829 \$50 a company for rifle ranges for national guard. N. H. 53, 7 Mr
- 3830 \$10,000 for governor to send suitable representation of national guard to participate in military display at inauguration of Pres. McKinley, Mar. 4, 1901. N. J. 67, 20 Mr
- 3831 Miscellaneous regulations relating to military and naval forces. Amending '00 ch.178. N. J. 205, 22 Mr
- 3832 Faculty of military institute at Roswell to be aides-de-camp to governor; rank; organization of cadets; powers and duties of superintendent; inspection by adjutant general. N. M. 63, 20 Mr
- 3833 Amending '97 ch.50 §1, 5, 14, 16 as to organization of militia, appointment and duties of adjutant general and staff officers; discipline. N. M. 88, 21 Mr
- 3834 General amendments to military code, '98 ch.212. N. Y. 314, 11 Ap
- 3835 Providing for organization, equipment and control of militia; adjutant general's salary \$600 [formerly \$500]. Amending '95, ch.35 §6, 20, 34; '99 ch.19 §2. Repealing '95 ch.35 §39. Okl. 19, 8 Mr
- 3836 Revision of military code. Or. p.181, 27 F
- 3837 Cities [formerly over 600,000] may appropriate \$500 for each company of national guard occupying armory, rooms or quarters. Amending '87 ch.123. Pa. 181, 21 My
- 3838 General assembly to elect staff officers at January session; terms 5 years beginning Feb. 1; vacancies to be filled by appointment by commander in chief till next session of assembly. Amending G.L.'96 ch.296 §63, 74. B. I. 809 §55, 29 Ja
- 3839 Amending '96 ch.417 as to organization of hospital corps of brigade of state militia. B. I. 810, 16 Ja

**Military regulations**

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- 3840 Amending Ann.S.'99 ch.18 as to organization of militia and repealing '97 ch.98. 4p. S. D. 176, 7 Mr
- 3841 Governor may appoint committee of 5 officers of national guard to revise rules and regulations; revision to conform as far as practicable to U. S. army regulations; to be approved by governor. Tenn. 106, 16 Mr
- 3842 Misdemeanor to wear all or part of uniform of national guard except while under orders; commanders to enforce law. Tenn. 137, 17 Ap
- 3843 Amending R.S.'98 §1441, 1465-66, 1481, 1486 relating to officers of militia, annual encampment, absence from drills and courts marshal. U. 58, 14 Mr
- 3844 Amending S.'94 ch.186 as to organization and pay of militia. Vt. 69, 13 N 00
- 3845 Time spent in military service of U. S. or confederate states to be counted toward 10 years required for retirement. Amending '92 ch.628. Va. 332, 16 F
- 3846 Various amendments to military code, Ballinger's Codes '97 t.13. Wash. 78, 16 Mr
- 3847 Officers and enlisted men on duty not to be arrested on civil or criminal process; exceptions; regulations for cadets of state university military department. Amending C.'99 ch.18 §50-51, 100. W. Va. 88, 21 F
- 3848 Governor may commission retired U. S. army officer acting as professor of military science as colonel of infantry; not to command in state militia. Wis. 141, 6 Ap
- 3849 Revising law as to organization and discipline of national guard. 21p. Wis. 228, 27 Ap
- 3850 Governor to appoint inspector of rifle practice with rank of colonel in militia. Amending R.S.'99 §717. Wy. 62, 16 F
- 3851 Additional pay for volunteers in Spanish war. \$9814.75 to reimburse soldiers of Spanish war for clothing sold them by state; adjutant general to distribute. Ind. 22, 25 F
- 3852 Extending resolution of Mar. 11, 1899, providing state pay for 1st New Hampshire volunteers in Spanish war to soldiers transferred to hospital corps and sailors enlisting from state. N. H. 140, 7 Mr
- 3853 Including 11th company signal corps, and company A 8th U. S. volunteer infantry among volunteers of Spanish war to receive additional pay. Amending '99 ch.75. N. J. 146, 22 Mr
- 3854 \$12,000 to reimburse 2d Oregon volunteers and battery A for clothing sold them by state in Spanish war. Or. p.76, 20 F
- 3855 Appropriating \$12,000 [formerly \$100,000] to pay volunteers in Spanish war; claims to be presented before Oct. 1, 1901 [formerly May 1, 1900]. Amending '99 ch.159. Tex. 115, 18 Ap
- 3856 State treasurer to advance arrearage of pay to Vermont soldiers in war with Spain. Vt. 71, 27 N 00
- 3857 Expense of sickness of soldiers in Spanish war to be paid by state. Vt. 73, 16 N 00
- 3858 \$4841.89 to pay transportation of state troops from San Francisco. Wy. 40, 14 F

- 3859 Armories. Encampment.** \$150,000 for new state arsenal building in Springfield on condition of donation of site.  
Ill. p.13, 11 My
- 3860** State camp grounds to be supplied with water from funds received from Spanish war claims.  
Minn. 110, 2 Ap
- 3861** National guard companies may own armory which shall revert to state on disbandment. Amending '97 ch.118 §135.  
Minn. 244, 11 Ap
- 3862** Expense of maintaining national guard armories not over \$60 [formerly \$40] a month for any company. Amending '99 ch.17.  
Nev. 56, 15 Mr
- 3863** In counties of 20,000 to 50,000 boards of chosen freeholders may build armories and issue \$15,000 bonds.  
N. J. 116, 22 Mr
- 3864** Governor as commander in chief [formerly state military board] to have full control of state encampment grounds; may appoint advisory board of three officers; compensation of members. Amending R.C.'99 §1392-93.  
N. D. 32, 5 Mr
- 3865** Amending '99 ch.626 as to repairs on heating and lighting apparatus in armories.  
R. I. 623, 5 Mr
- 3866** Providing for care and leasing of state camp and parade ground; moneys from lease to be used for repairs, improvements and training of militia.  
S. D. 175, 8 Mr
- 3867** Money received from U. S. for supplies furnished during Spanish war may be used to improve state military reservation. Amending '99 ch.90.  
Wis. 62, 21 Mr
- 3868** Cities and counties may build armories same as other county buildings; regulations.  
Wis. 241, 27 Ap
- 3869** Flag. Coat of arms. Misdemeanor to place inscription or device on state or U. S. flag for exhibition; to place name, portrait, or emblem of political party or candidate on flag.  
Col. 81, 28 Mr
- 3870** Forbidding using U. S. flag or representation thereof for advertising purposes; penalty \$10.  
Ind. 164, 11 Mr
- 3871** Flag of state or U. S. containing words, figures or advertising matter not to be displayed, except flags of Spanish war veterans which may contain names of battles. Amending '99 ch.254 §1.  
Mass. 153, 14 Mr
- 3872** Maximum penalty \$25 and 30 days in jail for defacing or defiling U. S. flag or representation thereof.  
Mich. 98, 1 My
- 3873** Misdemeanor to deface U. S. flag or use for advertising; term defined; penalty.  
N. D. 88, 13 Mr
- 3874** Forbidding printing on or in any way defacing U. S. flag or representation thereof or using for advertising purposes.  
Or. p.286, 27 F
- 3875** Misdemeanor to desecrate U. S. flag or use for advertising purposes; penalty fine or imprisonment or both. - Amending '97 ch.119.  
S. D. 206, 1 Mr
- 3876** Flag not to be attached to or printed on goods; no advertisement to be printed on flag.  
Wash. 154, 18 Mr
- 3877** Misdemeanor to brand, trample on, mutilate or deface U. S. flag or representation thereof.  
Wis. 142, 6 Ap

- 3878 Independent organizations. Military or light guard companies that have applied for acceptance as state troops may incorporate to build or purchase armory or hall. Amending C.L.'97 §8454. Mich. 102, 2 My
- 3879 Members of veteran corps or association connected with military or light guard company eligible as corporators to build armory or hall. Adding to C.L.'97 §8454-64. Mich. 103, 2 My

**Veterans. War memorials**

**Pensions. Relief**

- 3880 State pensions and aid. Amending '99 p.226 relating to pensions to confederate soldiers and their widows. Ala. p.168, 4 Mr
- 3881 Sale or transfer of pension claims or warrants of confederate veterans unlawful before Oct. 1 in year of issue; penalty; exceptions. Ala. p.191, 4 Mr
- 3882 County pension boards to be appointed by county judges; secretary of state, state auditor and commanding officer of confederate veterans to be state board; persons privileged to draw pensions; amount \$25 to \$100 annually; misdemeanor to buy pension claim at discount. Ark. 43, 11 Mr
- 3883 Annual tax for confederate veteran pension fund to be *three fourths* [formerly one fourth] of mill. Amending S.'94 §5592. Ark. 45, 12 Mr
- 3884 Governor, controller and attorney general to constitute state board of pensions; to pass on reports of claims investigated by county commissioners; confederate veterans and widows entitled to pensions; annual tax of 1 mill to be levied for pension fund. Fla. 10, 31 My
- 3885 Annual pension of \$60 to widows of ex-confederate soldiers; regulations; \$100,000 a year for 2 years. Ga. p.19, 19 D 00
- 3886 \$80,000 annually for 2 years for pensions to invalid soldiers, sailors and dependents. Me. r. 168, 26 F
- 3887 Amending '89 ch.198 as to pensions for confederate soldiers and widows; qualifications; 12 months residence in state immediately preceding application and incapacity for manual labor; widows must have been married before Ap. 1, 1865 to soldier or sailor; all pensions to appear for examination and classification; 4 classes of pensions, \$30-\$72; soldiers and sailors totally blind since war to have \$120 a year. N. C. 332, 2 Mr
- 3888 \$150,000 [formerly \$100,000] annually for pensions; proportional distribution to pensioners if more than sufficient. Amending '00 ch.225 §1. S. C. 440, 19 F
- 3889 Granting pension \$25 a month to totally disabled soldiers of civil war [formerly \$25, decreased to \$15 by '99 ch.425]. Tenn. 28, 3 Ap
- 3890 Salary of clerk of pension examiners \$900 [formerly \$500] and traveling expenses of examiners to be paid from pension appropriations. Amending '91 ch.93. Tenn. 97, 8 F
- 3891 State controller not to deliver pension warrants to other than pensioner. Tex. p.325, 13 Mr

- 3892 Governor to appoint commission of 2 to pass on claims for service in civil war. W. Va. 22, 21 F
- 3893 Local relief. Invalid civil war veterans to be cared for in hospitals. Amending G.S.'88 §3762. Ct. 113, 3 Je
- 3894 Overseer of poor to furnish necessities of life to destitute veterans and families of civil and Spanish wars; penalty. Kan. 289, 8 Mr
- 3895 Civil war veteran discharged from *all enlistments* whether in *own* or *assumed name* not to be considered pauper. Amending R.S.'83 ch.24 §8. Me. 250, 21 Mr
- 3896 Soldiers relief fund may be used for relief of Spanish war veterans and soldiers' minors and widows. Amending G.S.'94 §3628. Minn. 326, 13 Ap
- 3897 Towns to aid dependent soldiers of *Spanish or Philippine wars*. Amending P.S.'01 ch.84 §9. N. H. 116, 22 Mr
- 3898 Extending indigent soldiers relief act to veterans of Spanish or Philippine war. Amending '89 p.52. Or. p.178, 27 F
- 3899 Burial expenses. Extending '89 ch.161 providing for burial of indigent veterans so as to include those of Spanish war; headstone to be provided at expense not over \$5. Cal. 189, 23 Mr
- 3900 Soldiers and sailors of civil or Spanish war, or in U. S. service since Ap. 21, 1898, dying without means, to be buried at state expense of \$35 in cemetery not used exclusively for paupers; \$16 gravestones may be erected; stones for those not buried in state. Ct. 60, 14 My
- 3901 Extending time from 1 week to 30 days in which application may be made to burial agent for expenses of burial of indigent veteran when interment has taken place without agent's knowledge. Amending '96 ch.279. Mass. 283, 11 Ap
- 3902 \$2500 for burial place for indigent veterans dying at insane hospitals. Minn. 271, 13 Ap
- 3903 \$2500 [formerly \$1000] annually for burial of honorably discharged soldiers or marines. Amending '94 §8445. Minn. 306, 13 Ap
- 3904 Providing for burial of veterans; county commissioners may purchase cemetery lots. Pa. 17, 18 Mr
- 3905 Extending '85 ch.20 providing for burial of veterans and setting headstones so as to include veterans of Spanish and Philippine wars. Pa. 148, 11 My
- 3906 County commissioners to cause deceased indigent soldiers to be decently buried at expense not over \$70; burial not to be in potter's field; headstone to be provided at not over \$30; county to bear expense. U. 4, 7 F
- 3907 Amending C.'99 ch.46 to provide for burial of indigent soldiers and sailors; not to be buried in plot or cemetery used exclusively for paupers. W. Va. 64, 19 F
- 3908 County to bury indigent veterans at cost of not under \$35 nor over \$50 [formerly \$35]. Amending S.'98 §1529g. Wis. 240, 27 Ap
- 3909 Preference of veterans. Veterans may peddle without tax. Adding §3366 to P.C. Cal. 209, 23 Mr

- 3910 Civil war veteran employed as janitor, engineer or fireman in public building of state or county not to be removed or have compensation reduced except for cause. Ct. 35, 19 A
- 3911 Ex-Union soldiers may peddle without license. Ill. p.236, 11 M
- 3912 Spanish and Philippine war veterans exempt from labor on highways. Ind. 83, 6 M
- 3913 Misdemeanor for state, county or city officers to fail to give preference in appointment to public service, to U. S. soldiers and sailors who served in rebellion; subject to impeachment. Amending '86 §160. Kan. 186, 1 M
- 3914 Veterans in public service not to be removed without hearing regulations. Amending '96 ch.517. Mass. 339, 1 M
- 3915 Spanish war veterans exempted from pedler's license fee. Mass. 495, 13 M
- 3916 Civil war veterans of 15 years residence to have free tuition at university. Amending '99 ch.345. Minn. 25, 8 M
- 3917 Civil war veteran may have pedler's license free. Mon. p.62, 21
- 3918 Veterans of rebellion or Spanish war not to be suspended or removed from office except for incompetency or misconduct. N. Y. 533, 25 A
- 3919 Exempting veterans from poll tax. U. 4, 7
- 3920 Members of Wyoming national guard exempt from poll tax. Wy. 111, 19

**Soldiers homes**

- 3921 Establishment. General organization. Chaplain of penitentiary to be chaplain of soldiers home; additional salary \$100. Ark. 100, 11 A
- 3922 \$75 yearly for support of each aged and indigent soldier admitted to veterans home; not over \$55,000 [formerly \$45,000] annually. Amending '99 ch.111. Cal. 115, 12 M
- 3923 Accepting confederate soldiers home; \$15,000 for maintenance; governor to appoint 11 trustees, 1 from each congressional district; term 5 years; trustees to appoint superintendent; annual report; no pensions to inmates. Ga. p.87, 19 D C
- 3924 \$18,350 for rebuilding and equipping soldiers home. Id. p.15, 20
- 3925 Bequests received by board of trustees of soldiers home or pension money paid to board by inmates not to be included in report of moneys received. Amending '99 ch.118. Ind. 29, 26
- 3926 Officers, employees and inmates of national soldiers home may vote there at state and national elections; regulations. Kan. 179, 27
- 3927 Board of managers of state soldiers home may receive \$3 a day for average of 10 days a month for time spent in performance of duties. Amending '95 ch.25. Kan. 194, 2 M
- 3928 Honorably discharged soldiers, sailors and marines of civil, Mexican, Spanish and Philippine wars eligible to Michigan soldiers home; regulations. Amending C.L.'97 §2062. Mich. 25, 26 M
- 3929 Commandant of Michigan soldiers home may be appointed guardian of inmates; bond; no compensation; property to be delivered to successor. Mich. 54, 9 A

- 3930 Expenses of examination of insane inmate of Michigan soldiers home and transportation to insane asylum to be paid by state. Amending C.L.'97 §1944. Mich. 76, 22 Ap
- 3931 Michigan soldiers home to have chaplain with rank of captain. Amending C.L.'97 §2064. Mich. 81, 23 Ap
- 3932 Providing for disposition of property of soldiers dying in soldiers home. Minn. 325, 13 Ap
- 3933 Amending R.S.'99 §7792, 7796 relating to soldiers homes by striking out sentence prescribing no compensation to members of board. Mo. p.182, 11 Mr
- 3934 Nebraska soldiers and sailors home open to soldiers, sailors, marines and nurses of U. S. army or navy in *Spanish and Philippine wars and mothers of soldiers, sailors and marines who died in service*. Amending C.S.'99 ch.82a §1. Neb. 71, 29 Mr
- 3935 \$14,000 to buy land adjoining New Jersey home for disabled soldiers. Supplementing G.S.'95 p.3128. N. J. 56, 19 Mr
- 3936 *Commandant to act as secretary of board of trustees of soldiers home [formerly elective office]*. Amending R.C.'99 §1015. N. D. 37, 8 Mr
- 3937 Governor to appoint for 2 years matron of soldiers home, matron of hospital and on nomination of commandant such other officers as may be required; salaries. Amending '99 p.81. Or. p.277, 27 F
- 3938 2 members of board of state soldiers home to be appointed annually at January session of assembly; office to be in state-house; term to begin Feb. 1. Amending G.L.'96 ch.88 §1, 7. R. I. 809, §19, 29 Ja
- 3939 Commissioners of soldiers home to hold office 6 years from Ap. 1 following appointment. Amending '89 ch. 114. S. D. 187, 2 Mr
- 3940 Traveling expenses of trustees of soldiers home to be paid out of appropriation for maintenance. Amending '89 ch.180. Tenn. 95, 7 F
- 3941 National home for disabled volunteer soldiers may acquire not over 2000 acres for branch home in Washington county; ceding jurisdiction to U. S. Tenn. 98, 8 F
- 3942 Soldiers of Spanish war may be inmates of soldiers home. Amending Ballinger's Codes '97 §2631-2. Wash. 167, 18 Mr
- 3943 Indian war veterans may be admitted to soldiers home. Wash. 171, 18 Mr
- 3944 \$3000 for hospital building at state soldiers home at Cheyenne. Wy. 103, 19 F
- 3945 Widows and orphans. Orphans of Spanish and Philippine war veterans may be received at soldiers and sailors orphans home. Amending '87 ch.14. Ind. 198, 11 Mr
- 3946 Pupils at soldiers orphans industrial school reaching age of 16 between Jan. 1 and June 1 may remain at school till June 30 following. Amending '93 ch.118. Pa. 12, 7 Mr
- 3947 \$44,000 for mechanical building at soldiers orphans school at Scotland. Pa. 23, 22 Mr

## Miscellaneous

- 3948 Misdemeanor to wear unlawfully insignia or rosette of Loyal legion or G. A. R. or medals presented to Utah volunteers.  
U. 45, 14 Mr
- 3949 Organizations. \$1000 annually for Grand army to be paid to department commander; commander to give \$2000 bond; official report.  
Del. 38, 8 Mr
- 3950 \$1000 for G. A. R. museum and publication of department reports to governor.  
Kan. 11, 2 Mr
- 3951 \$20 fine or 30 days imprisonment or both for illegally wearing insignia of naval and military order of Spanish war or of Spanish war veterans.  
Mass. 151, 14 Mr
- 3952 Cities and towns may lease for 5 years any public buildings except schoolhouses to camp of legion of Spanish war veterans.  
Mass. 152, 14 Mr
- 3953 Color guards not exceeding 12 men of G. A. R. or Spanish war veterans may parade in public with firearms. Amending '95 ch.465 §6.  
Mass. 274, 10 Ap
- 3954 Misdemeanor to wear without authority badge or button of G.A.R. or badge, insignia, or rosette of Loyal legion. Amending C.L.'97 §11768.  
Mich. 181, 28 My
- 3955 Unauthorized wearing of button of G. A. R. forbidden. Amending '89 ch.15 §1.  
Minn. 55, 16 Mr
- 3956 G. A. R. to have headquarters in capitol; state to publish annual report.  
Minn. 128, 2 Ap
- 3957 \$200 appropriated for care of G. A. R. cemetery; board of examiners to audit.  
Nev. 12, 23 F
- 3958 Towns may provide G. A. R. halls.  
N. H. 54, 7 Mr
- 3959 Monuments. Memorials. Permitting Roosevelt rough riders association to place memorial tablet in capitol.  
Ari. R.S.'01, p.1460, 9 Mr
- 3960 Medals given by people to soldiers and sailors of Spanish war to be official tokens from state; misdemeanor to wear illegally.  
Col. 90, 27 Ap
- 3961 Monument on battlefield of Olustee provided for in '99 ch.154 to be erected to [formerly federal and] confederate officers and soldiers.  
Fla. 169, 31 My
- 3962 \$100 to preserve Spanish war flags in capitol.  
Id. p.89, 11 Mr
- 3963 Governor to appoint 18 commissioners to fix position of Illinois troops at Vicksburg; \$2000 for expenses.  
Ill. p.57, 11 My
- 3964 Forbidding desecration of soldiers monument at Indianapolis, erection of booths, buildings or fences or holding shows at monument place.  
Ind. 46, 1 Mr
- 3965 Governor to appoint 7 citizens, 6 of whom shall be soldiers who served in battle of Shiloh, commissioners to procure and supervise erection of monuments in Shiloh national military park; \$25,000.  
Ind. 169, 11 Mr
- 3966 Creating board of control of state soldiers and sailors monument; governor to appoint 3 veterans; term 3 years; without salary.  
Ind. 242, 11 Mr



- 3967 By vote at meeting of electors, towns may appropriate money for monuments to Spanish war veterans. **Mass.** 287, 11 Ap
- 3968 \$20,000 for bronze statue of Gen. William Francis Bartlett on capitol grounds. **Mass.** r. 55, 16 Ap
- 3969 \$3800 for representation of state by delegation at dedication of tablets at Andersonville Ga. **Mass.** r. 115, 19 Je
- 3970 Governor may appoint soldiers and sailors monument commission to select design and location on capitol grounds of monument; to report to governor with estimate of cost. **Mich.** 96, 1 My
- 3971 State military board to provide and governor to present bronze medals to Michigan soldiers and sailors in Spanish and Philippine wars; \$4000. **Mich.** 223, 6 Je
- 3972 Soldiers memorial or monument associations may receive aid from county in construction of monuments. Amending '99 ch.339. **Minn.** 29, 8 Mr
- 3973 Appointing commission to determine positions of Minnesota troops in campaign and siege of Vicksburg; \$500 for expenses. **Minn.** 121, 2 Ap
- 3974 Governor to appoint 5 each of Missouri federal and confederate soldiers at Vicksburg and secretary to determine positions of Missouri organizations in siege and defense; \$1000 for traveling expenses. **Mo.** p.31, 17 Ap
- 3975 Governor to appoint commission of 3 to determine position of New Hampshire troops in siege of Vicksburg; \$500 for expenses. **N. H.** 164, 22 Mr
- 3976 \$1200 for governor to prepare "first defenders' medal" for each of survivors of New Jersey brigade militia enlisted May 1, 1861. **N. J.** j.r.1, p.417, 22 Mr
- 3977 On petition of 50 citizens of county for monument to soldiers of rebellion or for paying debts for erection of monument, court of quarter sessions shall lay petition before 2 successive grand juries and on approval erect monument. Amending '95 ch.89. **Pa.** 151, 11 My
- 3978 \$10,000 for statue of A. B. Curtin, war governor. **Pa.** 415, 18 Jl
- 3979 \$1500 for monument to John Burns on Gettysburg battlefield. **Pa.** 418, 18 Jl
- 3980 \$9750 for tablets marking positions of Pennsylvania troops on Antietam battlefield. **Pa.** 443, 18 Jl
- 3981 \$10,000 for monument in Andersonville cemetery to commemorate prison sufferers in civil war. **Pa.** 444, 18 Jl
- 3982 \$20,000 for monument to soldiers of Spanish war. **Pa.** 450, 18 Jl
- 3983 \$150,000 for monument on Gettysburg battlefield; governor to appoint commission of 9 to select site and erect monument. **Pa.** 451, 18 Jl
- 3984 \$4000 for monument to Pennsylvania troops on Shiloh battlefield; governor to appoint commission of 7 to serve without salary and pay own expenses. **Pa.** 453, 18 Jl
- 3985 \$75 to buy markers for graves of soldiers who served in Spanish war. **R. I.** p.267, 26 Mr
- 3986 Governor to appoint commission of 13 to determine position of Tennessee troops in defense of Vicksburg and recommend memorials. **Tenn.** 81, 22 Ap

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- 3987 \$500 for preservation of flags of Tennessee regiments in Spanish, civil and Mexican wars. Tenn. 155, 20 Ap
- 3988 \$1000 for monument and tablets showing position of Vermont troops on Antletam battlefield. Vt. 122, 21 N 00
- 3989 \$2500 for governor, adjutant general and colonel of first regiment of national guard to erect soldiers monument on state lot in Masonic cemetery at Olympla. Wash. 129, 18 Mr
- 3990 \$1500 for equipping rooms in capitol as memorial hall dedicated to veterans. Wis. 125, 1 Ap
- 3991 Governor to loan 2 battleflags to Grant monument association. Wis. 275, 2 My
- 3992 Governor to appoint 3 veterans who served in campaign against Vicksburg commission to determine positions of state troops in that engagement; \$1000. Wis. 281, 2 My
- 3993 Governor to appoint 5 veterans commission to erect suitable monuments to Wisconsin troops on Shiloh battlefield; \$10,000 appropriated; monuments to be of Wisconsin granite. Wis. 381, 13 My
- 3994 \$750 for governor to buy medals for soldiers of Wyoming who served in Philippines. Wy. 77, 18 F
- 3995 Memorial day. Towns may adopt police regulations for Memorial day. N. H. 5, 5 F
- 3996 Towns of over 5000 [formerly containing village over 5000] may appropriate \$100 annually for celebration of Memorial day. Amending '90 ch.223. N. Y. 87, 11 Mr
- 3997 Designating June 6, 1901, as Nathanael Greene memorial day. R. I. p.266, 19 Mr
- 3998 War records. \$250 for classifying and indexing information concerning state soldiers in all wars. Ind. 196, 11 Mr
- 3999 Adjutant general under direction of governor to provide for preservation of regimental rolls of civil war; \$2400 annually for two years. Me. r. 138, 13 F
- 4000 \$3000 for continuation of compilation of records of state soldiers in revolution. Mass. r. 5, 14 F
- 4001 \$2500 for preserving worn war records. Mass. r. 40, 2 Ap
- 4002 \$10,000 for publication of record of soldiers and sailors of Massachusetts in civil war. Mass. 56, 19 F
- 4003 Adjutant general to complete military or naval history of soldiers and sailors from state in rebellion or Spanish war; to give certificates; \$2500. Mich. 210, 6 Je
- 4004 Records of Minnesota troops in civil war to be copied, indexed and preserved. Minn. 211, 10 Ap
- 4005 Printing and binding of regimental histories to be let separate from public printing; number of copies. N. C. 122, 6 F
- 4006 Record of confederate deserters to be placed in auditor's office and copies sent to county pension boards. N. C. p.1040, 14 My
- 4007 Records of colonial and revolutionary forces raised in Vermont to be collated and printed under supervision of governor and secretary of state; \$2000. Vt. 72, 27 N 00
- 4008 Records of G. A. R. for department of Vermont may be collected by department commander and delivered to adjutant general for safe keeping. Vt. 257, 13 N 00

## Charities

(See also Membership corporations,<sup>1</sup> 1222; Fraternal beneficiary societies, 4214; Police and firemen's pensions, 3417; State finance—institutions, 1406; State institutions, 3095; Veterans—pensions and relief, 3330)

### Charities and corrections—general

- 4009 State board of charities and corrections to examine complaints of conduct of private eleemosynary institutions; to issue licenses; reports; institutions defined. Col. 42, 27 Ap
- 4010 County council to appropriate \$50 annually for expenses of board of charities and corrections. Amending '99 ch.34. Ind. 183, 11 Mr
- 4011 Establishing state code of charities and corrections. State charitable and reformatory institutions to be controlled by 5 trustees appointed by governor; qualifications; term 4 years; salary \$2000; powers and duties; biennial reports; duties of officers; care of insane. 32p. Kan. 353, 27 F
- 4012 Governor, commissioner of public lands and buildings and state superintendent of public instruction to be state board of charities and corrections; board to appoint 4 advisory secretaries and chief clerk; to investigate system of charities and correctional institutions; reports. Neb. 72, 1 Ap
- 4013 Governor and senate to appoint member of board of state charities and corrections annually at January session of assembly; term 6 years beginning Feb. 1; to report to assembly at *January* session [formerly adjourned session in Providence]. Amending G.L.'96 ch.291 §1-2, 11. B. I. 809 §48, 29 Ja
- 4014 Members of board of charities and correction to be appointed by governor and senate for term of 6 years. Amending '90 ch.5 §3. S. D. 65, 2 Mr

### Charities—general

- 4015 Legal residence defined; nonresidents not to be admitted to state charitable institutions; exceptions; procedure; trustees may arbitrate with authorities of other states. Kan. 228, 5 Mr
- 4016 Charitable corporations to report annually to state board of charities; report to cover last financial year. Amending '99 ch.259. Mass. 179, 21 Mr
- 4017 Prescribing rules for estimating annual appropriations for state charitable institutions. Mass. 303, 23 Ap
- 4018 Charitable corporation maintaining hospital or asylum may hold property with like powers and limitations as incorporated hospitals. Amending C.L.'97 §8268. Mich. 151, 22 My; 229, 6 Je
- 4019 Total salaries of subordinate agents of charity boards not to exceed \$1500 a year [formerly \$75 a month]. Amending R.S.'99 §5066. Mo. p.51, 22 Mr

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<sup>1</sup>Many general incorporation laws cover charitable and several other classes of non-profit corporations. To save repetition these are all placed together.

- 4020 State board of charities may appoint salaried secretary to give entire time to duties of board; salary of secretary and clerk not over \$2000. Amending '95 ch.116 §7. N. H. 50, 7 Mr

### Poor relief

(See also Vagrancy, 2887)

- 4021 General. Maintenance and support of indigent poor and incompetent; misdemeanor to bring into state; city and county to relieve; kindred and subsequently acquired property liable for support. Cal. 210, 23 Mr
- 4022 Paupers may be supported in adjoining town; 2 adjoining towns may unite to support paupers. Amending G.S.'88 §3290, 3310. Ct. 131, 10 Je
- 4023 Revision of poor law as to temporary relief; duties of township trustee as overseer of poor. Ind. 147, 9 Mr
- 4024 County commissioners in counties over 28,000 [formerly 45,000] may appoint commissioner of poor. Amending G.S.'97 ch.156 §41. Kan. 133, 6 Mr
- 4025 State board of charity to prescribe form of records kept by overseers of poor and registers of almshouses. Mass. 177, 21 Mr
- 4026 On recommendation of state board of charity governor may appoint agents of board special district police officers to return prisoners to state farm. Mass. 185, 26 Mr
- 4027 \$3 a day and 10c a mile allowed county commissioners for granting poor relief. Amending G.S.'94 §1962. Minn. 45, 14 Mr
- 4028 In counties of 75,000 and 5000 square miles district judge to appoint 3 commissioners to supervise poor; no salary; commissioners to fix poor tax. Minn. 242, 11 Ap
- 4029 Nonresident paupers to be cared for by local authorities and expense charged to county of legal settlement. Minn. 251, 11 Ap
- 4030 Charity boards established in counties of 50,000 to 150,000 [formerly 100,000]. Amending R.S.'99 §5064. Mo. p.50, 22 Mr
- 4031 Amending P.S.'01 ch.30 §2 and ch.43 §12 as to collection and compilation of statistics of pauperism by state officers. N. H. 26, 20 F
- 4032 County commissioners may appoint town agents to care for poor. Amending P.S.'01 ch.27. N. H. 39, 28 F
- 4033 County of last residence liable for support of person becoming pauper in state prison or within 3 months after leaving. Amending '95 ch.54. N. H. 49, 7 Mr
- 4034 On certificate of physician approved by supervisor county superintendents of poor to send indigent person requiring medical treatment to nearest hospital approved by board of charities. Amending '96 ch.225 §2. N. Y. 103, 13 Mr
- 4035 In counties over 300,000 except New York and Kings town board may determine whether overseers of poor shall be elected or appointed and number needed; may appoint and remove chief and other constables. N. Y. 663, 3 My

- 4036 Estate of person receiving support from town to be liable for sums received; town overseer of poor or county superintendent to bring suit. Amending '96 ch.225 §57. N. Y. 664, 3 My
- 4037 County commissioners to be overseers of poor; to arrange for county asylum; salary of superintendent \$600 and board; requisites for legal residence; regulations. Okl. 21, 8 Mr
- 4038 Moneys subject to order of overseers of poor of boroughs in counties erecting poorhouses to be paid to borough treasurer. Amending '76 ch.125. Pa. 54, 19 Ap
- 4039 Fixing constable's fees for executing order of relief of pauper. Pa. 98, 2 My
- 4040 Directors of poor may make alterations in property of poor district. Amending '76 ch.125. Pa. 129, 11 My
- 4041 Poor overseers or officers may furnish relief to poor persons without obtaining order. Pa. 267, 14 Je
- 4042 When town neglects to support pauper appellate division of supreme court or justice may on complaint appoint commission of 3 persons to investigate and report; court or justice to order town to support pauper and pay expense of proceeding. B. I. G.L.'96 ch.79 §18-20. *Unconstitutional*. Deprives of property without due process of law. *Church v. Town of South Kingstown*, 48a. 3.
- 4043 Limiting actions in forma pauperis to citizens and residents of state. Amending C.'96 §4928. Tenn. 126, 4 Ap
- 4044 Providing for persons supported wholly or partly by county outside of poorhouses; to receive annual allowance; to be visited when sick and given medical aid by overseer of poor; additional aid not over 50% of regular allowance. Amending C.'99 ch.46 §7. W. Va. 76, 20 F
- 4045 County board may by resolution relieve and take care of poor persons charged to town. Amending S.'98 §1517. Wis. 293, 4 My
- 4046 Poorhouses. Children of 3 to 17 not to be kept at county poor asylum over 60 [formerly 10] days. Amending '97 ch.40. Ind. 206, 11 Mr
- 4047 2 or more counties of joint population of 10,000 [formerly 25,000] may establish district poorhouse. Amending '99 ch.256. Minn. 130, 4 Ap

### Children. Orphans

(See also Family, 1; Guardianship, 2163; Inhumanity, 123)

- 4048 Dependent and neglected children. (See also Juvenile offenders, 4228; Reform schools, 4177) Colorado humane society to be state bureau of child and animal protection; to enforce state laws; annual meeting; annual report for publication. Col. 84, 30 Ap
- 4049 Peace officers or agent of society for prevention of cruelty to children to arrest immoral person in charge of child under 16; to place children in private family or orphan asylum. Fla. 87, 28 My
- 4050 Amending '99 p.131 regulating treatment and control of dependent, neglected and delinquent children. Ill. p.141, 11 My

- 4051 Board of children's guardians may be created in each county by appointment by circuit court; 6 members, 3 to be women; term 3 years; no salary; to have care of dependent, neglected and delinquent children; procedure to remove child from parents. Ind. 173, 11 Mr
- 4052 Commitment of dependent, neglected and ill-treated children to institutions and aid societies; supervision by state board of charities; court may appoint probation officers; regulations. Kan. 106, 1 Mr
- 4053 Importation of afflicted, indigent or vicious children prohibited. Mo. p.132, 13 Mr
- 4054 On complaint clerk of superior court to procure admission of neglected and abandoned children to orphan asylum or bind them out. Amending C.'83 §11. N. C. 628, 13 Mr
- 4055 Regulating treatment and control of dependent, neglected and delinquent children under 16; creating juvenile courts and probation officers; prohibiting commitment of child under 14 to jail or police station; providing for appointment of agents of juvenile reformatories and boards of visitors. Pa. 185, 21 My
- 4056 Dependent, neglected and ill-treated children to be under guardianship of society incorporated for purpose; may place child for adoption; regulations. S. D. 71, 1 Mr
- 4057 Society authorized to place dependent children in family homes may recover on petition to county court. S. D. 72, 9 Mr
- 4058 State board of charities and corrections to examine societies incorporated under '95 ch.44 to care for homeless and dependent children; societies not to incorporate without permit from board. S. D. 188, 8 Mr
- 4059 County judges and chairman of county courts may take children of 3 to 15 from houses of ill fame and place in homes, Tenn. 173, 23 Ap
- 4060 Incorporated institution for care of destitute children may on certificate of probate court send inmate to Vermont industrial school. Vt. 103, 23 N 00
- 4061 Providing for control of neglected and delinquent children in counties of 150,000. Creating juvenile court; court to appoint probation officer; duties; child under 16 may be brought before juvenile court on criminal charge; procedure; child under 14 not to be committed to police station; child under 16 not to be confined with adults; board of visitation, 6 members to serve without pay; duties. Wis. 90, 26 Mr
- 4062 Counties singly or jointly may establish industrial or reformatory schools for incorrigible children; plans to be approved by state board of control; trustees elected by county board; board to appoint physician, matron and superintendent; commitment and placing out of children; management. Wis. 210, 23 Ap
- 4063 Children's homes. Parents of children in temporary homes for dependent and neglected children to contribute to support; enforcement. Ct. 128, 10 Je

- 4064 Temporary homes may be provided for dependent or neglected children of 4 to 18 *living in disreputable houses*; commitment and expenses for support. Amending G.S.'88 §3655, 3658.  
Ct. 184, 17 Je
- 4065 Whenever board of managers or matron of county orphanage cease caring for and surrender children to board of county commissioners, they shall return unexpended money received from county as per diem compensation. Ind. 155, 9 Mr
- 4066 Before issuing certificate of incorporation for home for care of minor children, secretary of commonwealth may require investigation of parties desiring incorporation by state board of charity; may refuse certificate. Mass. 405, 17 My
- 4067 Surgeon in chief of hospital for care of crippled and deformed children to appoint assistant superintendent. Amending '00 ch.369. N. Y. 38, 22 F
- 4068 Assistant superintendent of state hospital for crippled and deformed children to make monthly estimates of expenses for current month and submit to controller. Amending '00 ch.369. N. Y. 421, 18 Ap
- 4069 \$12,000 annually for support of indigent orphans under 14; to be distributed to asylums at rate of \$50 for each orphan; institutions with less than 5 children or receiving money for support of inmates not to receive state aid. Or. 433, 1 Mr
- 4070 Inmates of orphan asylums and homes for poor and friendless children to be admitted to public schools having building capacity; reasonable tuition to be fixed by county or city superintendent. Pa. 21, 22 Mr
- 4071 When child is committed to house of refuge not under state control one half expense of maintenance to be paid by county and remainder from appropriations for house of refuge; fixing amount charged; payment by counties. Pa. 125, 11 My
- 4072 Board of state home for children to consist of 7 [formerly secretary in addition]; term to begin *Feb.* [formerly July] 1; to be appointed at January session of assembly. Amending G.L.'96 ch.87 §2-3. B. I. 809, §17, 29 Ja
- 4073 County treasurer to be treasurer of home for dependent children; county board to make quarterly appropriations; trustees may bind out minor children and consent to adoption; may revoke consent and return adopted child to home; procedure. Amending '99 ch.34. Wis. 106, 30 Mr
- 4074 Crippled children under 14 may be admitted to state public school for neglected and dependent children; regulations. Wis. 109, 30 Mr
- 4075 Children under 14 [formerly and over 3] may be received at state public school; procedure when child is returned to county from which sent. Amending S.'98 §573a. Wis. 223, 26 Ap
- 4076 Girls under 18 [formerly 16] may be sent to state public school. Amending S.'98 §1547. Wis. 385, 13 My
- 4077 Adoption. On petition of parent, court of common pleas may authorize adoption of child by resident of another state. Pa. 301, 2 Ji

- 4078 Authorizing subsequent adoption of children. Adding §4024a to S.'98. Wis. 117, 30 Mr

### Deaf and dumb. Blind

- 4079 General. Amending C.'90 providing uniform laws for control, management and support of state institutions for deaf and blind. Ala. p.25, 28 N 00
- 4080 Governor [formerly legislature] to appoint directors of institution for education of deaf, dumb and blind; directors may elect officers and teachers on 2d Monday in May [formerly June]; terms of principal and steward to begin June 1, others Sep. 1. Amending '90 ch.311, 540. N. C. 707, 14 Mr
- 4081 Salary of physician for schools of deaf and blind not over \$500 [formerly \$200]. Amending C.'90, ch.45 §98. W. Va. 60, 15 F
- 4082 Deaf and dumb. Governor [formerly board of directors till meeting of legislature, then legislature] to fill vacancies in board of directors of white deaf and dumb school. Repealing '99 ch.94 and amending '91 ch.399. N. C. 210, 20 F
- 4083 Conferring same power and authority on board of directors and superintendent of North Carolina school for deaf and dumb as on board of directors and superintendent of state hospital for insane as to police protection of premises. Amending '99 ch.1. N. C. 627, 13 Mr
- 4084 Referring to next legislature constitutional amendment changing name of deaf and dumb asylum to school for deaf and dumb. N. D. p.277
- 4085 Children between 8 and 16 afflicted with deafness to be sent to state institution for instruction of deaf for 6 months each year. Amending '89 p.111. Or. p.300, 27 F
- 4086 Governor and senate to appoint 3 trustees of state institute for deaf biennially at January session of assembly; term 6 years beginning Feb. 1. Amending G.L.'96 ch.86 §2. B. I. 809 §16, 29 Ja
- 4087 State superintendent may appoint inspector of schools for deaf; salary \$1500 and expenses; annual report to superintendent. Amending S.'98 ch.31. Wis. 422, 14 My
- 4088 Blind. Amending '93 ch.156 §2 by striking out requirement that 1 member of board of education of blind shall be blind. Ct. 164, 17 Je
- 4089 \$3600 for instruction of adult blind at home. Mass. r.98, 10 Je
- 4090 Free tuition in state university for graduates of school for blind. Minn. 170, 9 Ap
- 4091 25,000 acres of state grant for state blind asylum at Gary. S. D. 63, 14 F

### Sick and wounded

(See also Contagious diseases, 4723)

- 4092 Hospitals. County board of supervisors to let care of indigent sick to best responsible bidder; sealed bids; to be let only to citizens or aliens who have declared intentions. Ari. R.S.'01 p.1460, 9 Mr



- 4093** Cities over 5000 may maintain training schools for nurses at city hospitals; diplomas. Ark. 70, 29 Mr
- 4094** Lands may be appropriated for hospital corporations or associations. Amending G.S.'99 ch.23 §123. Kan. 128, 5 Mr
- 4095** Counties having no public hospital may appropriate \$15,000 for building or enlarging private hospital. N. J. 106, 21 Mr
- 4096** Endowing trustees of hospitals and asylums with corporate powers and obligations. Pa. 69, 24 Ap
- 4097** \$100,000 for accepting Lackawanna hospital as state hospital for northern anthracite coal regions. Pa. 482, 18 Jl
- 4098** At special meeting towns may appropriate \$300 for free hospital bed for indigents; may appropriate \$5000 for permanent endowment of such bed; regulations. Vt. 136, 8 N 00
- 4099** State asylum for incurables to admit such defectives, not consumptive or cancerous, as directors deem eligible; pay patients to be received but not to exclusion of present inmates or charity patients. Amending '97 ch.7 §8. W. Va. 54, 23 F
- 4100** Amending '97 ch.7 §2 as to constitution and appointment of board of directors of state asylum for incurables; 2 [formerly 4] of 6 [formerly 8] directors may be women. W. Va. 55, 20 F

### Insane. Feeble-minded

(See also Insane criminals, 4193; Guardianship, 2163)

- 4101** General. \$50,000 for construction and equipment of psychopathic ward connected with hospital of University of Michigan; to accommodate 40; admission by decree of probate judge or from insane asylums; regulations. Mich. 161, 25 My
- 4102** Insane persons not to be confined in jail or prison except in case of absolute necessity. Minn. 299, 13 Ap
- 4103** State board of control to provide places of detention for alleged insane in cities over 50,000. Minn. 317, 13 Ap
- 4104** Amending '96 ch.545 as to qualifications of commissioners in lunacy; president to be physician of 5 years' experience in treating nervous and mental diseases and 2 years' experience in institution; 1 commissioner to be lawyer; salary \$5000 each. N. Y. 137, 21 Mr
- 4105** \$1,700,000 for support of indigent insane; 50c a week in addition for each inmate in state asylum for chronic insane; quarterly report of directors of asylums to show itemized statement; reports of county commissioners. Pa. 340, 18 Jl

### Asylums. Government

- 4106** State asylums. Treasurer of state sanitarium to be under \$40,000 [formerly \$20,000] bond. Amending C.'95, 1, §1419. Ga. p.44, 15 D 00
- 4107** Patients may be transferred from one insane hospital to another. Me. 235, 21 Mr
- 4108** Maximum salary of steward of insane hospital \$1600 [formerly \$1300]. Amending '91, ch.35 §1. Me. 279, 22 Mr

- 4109 Trustees of Michigan asylum for dangerous and criminal insane to meet jointly with trustees of other asylums of state at least twice a year. Amending C.L.'97 §1963. Mich. 221, 6 Je
- 4110 Numbering state hospitals for insane. Amending R.S.'99 ch.72. Mo. p.45, 19 Mr
- 4111 Changing name of asylum for insane to state hospital. Amending P.S.'01 ch.10 §1. N. H. 30, 27 F
- 4112 Regulating commitment and support of insane in hospitals. Supplementing '98 ch.130. N. J. 186, 22 Mr
- 4113 Lunacy commission may appoint agents to secure from relatives and friends of insane reimbursement of money expended for maintenance; agent's compensation \$5 a day. Amending '96 ch.545 §65. N. Y. 546, 25 Ap
- 4114 Vacancy in board of directors of insane hospital not to be filled by remaining members of board. Amending '99 ch.1 §5. N. C. 712, 14 Mr
- 4115 Incorporating state hospital for dangerous insane; directors of state's prison to be directors of hospital; to separate institutions; to appoint medical superintendent for 4 years; duties and conferences; \$5000 annually; \$3000 to carry act into effect. Repealing '99 ch.1 §62. N. C. 755, 15 Mr
- 4116 \$50,000 for establishment of homeopathic state hospital for insane; commission to consist of 3 appointees of governor, 2 of president pro tempore of senate and speaker of house of representatives; 2 latter officers to select site and erect buildings; trustees. Pa. 437, 18 JI
- 4117 Appointing legislative commission to inquire into condition of insane in state institutions and most modern methods of treatment; report to include draft of proposed law. Pa. c.r. 36, 11 JI
- 4118 Amending C.'99 ch.58 §2 as to appointment and term of office of directors of state and second hospitals for insane; term to be 4 [formerly 6] years. W. Va. 53, 16 F
- 4119 County. Counties over 150,000 may establish hospitals for incurably insane. Ind. 195, 11 Mr
- 4120 Written agreement may take place of bond for proper care of insane outside of asylum. Amending '93 ch.5 §37. Minn. 9, 15 F
- 4121 Board of chosen freeholders may fix term of superintendent of county hospital at not over 5 years. Supplementing '00 ch.89. N. J. 5, 14 F
- 4122 Providing for collection of burial expenses of insane persons in county asylums whose support is charged to other counties. Wis. 87, 23 Mr
- Repealed. 324, 8 My
- 4123 Providing for collection of burial expenses of insane person in county asylum with residence in another county. Wis. 323, 8 My

**Support. Admission. Discharge**

- 4124** State to pay maintenance of patients in state asylum when counties have paid it 1 year in state or other asylum.  
Mich. 7, 7 F
- 4125** State auditor to decide in case of dispute liability of counties for treatment of insane patients; county may appeal.  
S. D. 92, 21 F
- 4126** State board of charities and reform with consent of governor to return indigent nonresident insane committed to state asylum to state of legal residence.  
Wy. 7, 6 F

**Examination. Commitment**

- 4127** Regulating commitment of insane; prescribing form of statement of examining physicians; physicians to be selected by justice of peace or judge of circuit or superior court. Ind. 229, 11 Mr
- 4128** Blank forms for commitment of persons to state insane hospital to be printed and furnished to probate judges; use obligatory.  
Vt. 48, 27 N 00
- 4129** On proper showing to county court person adjudged incompetent may be declared competent. Adding §3987a to S.'98.  
Wis. 15, 21 F
- 4130** When county judge commits insane person direct to county asylum commitment not to become state charge till 5 days after filing with board of control.  
Wis. 65, 21 Mr
- 4131** Judge of district court of record in county to have same jurisdiction as county judge in examination and commitment of insane persons.  
Wis. 124, 1 Ap
- 4132** Person adjudged insane may have reexamination and trial by jury to determine sanity; not to apply to insane criminals. Amending S.'98 §587.  
Wis. 163, 12 Ap
- 4133** Parole. Recovery. Discharge. Insane person may be restored to capacity on examination and certificate of superintendent of hospital, or by trial in superior court with or without jury.  
Cal. 211, 23 Mr
- 4134** Appeal may be taken, from probate to district court on order denying application for restoration to capacity. Amending '99 ch.27.  
Minn. 147, 6 Ap
- 4135** Recovered insane may regain control of property. Amending C. §1672.  
N. C. 191, 18 F
- 4136** Amending S.'94 §3233 as to discharge of persons from hospitals; *discharge final after absence of 60 days.*  
Vt. 47, 24 N 00
- 4137** Superintendents of hospitals for insane may permit inmates to go at large on parole subject to recall within 2 years; after 2 years' liberty presumption of insanity to end. Amending S.'98 §587c.  
Wis. 77, 23 Mr
- 4138** Persons released on habeas corpus from confinement in insane hospitals to be examined by judge issuing writ. Amending S.'98 §595.  
Wis. 367, 13 My

**Epileptics. Feeble-minded**

- 4139 **Colonies.** Revision of laws relating to village for epileptics. Governor to appoint 8 managers; bipartizan; term 4 years; no salary; expenses paid; board to control institution and appoint superintendent, treasurer and steward to hold office at pleasure of board; annual report to governor; admission and discharge of patients; payments for support of indigent patient, state \$1 and county \$2 a week; transfer of patients; liquor not to be sold within 2 miles of village. N. J. 94, 21 Mr
- 4140 **Asylums.** Idiots, epileptics and paralytics admitted to home for feeble-minded to be county charge; reports by county auditors and superintendent of home. Amending '97 ch.188. Cal. 237, 23 Mr
- 4141 County judge may order commissioners to provide for feeble-minded persons; affidavit of 2 disinterested persons. Col. 77, 27 Ap
- 4142 Establishing department for adult females at home for feeble-minded youth; procedure in circuit court for commitment; \$40,000. Amending '89 ch.73. Ind. 96, 8 Mr
- 4143 Board of trustees of school for feeble-minded youth to fix qualifications and compensation of officers and employees. Amending '91 ch.65. Ind. 148, 9 Mr
- 4144 Establishing state school for feeble-minded children; governor to appoint 5 trustees, 1 a woman, for 4 years; destitute children state charges; judge of probate may commit; regulations for admission and discharge; \$30,000. N. H. 102, 22 Mr
- 4145 Governor to appoint board of 5 trustees for institution for feeble-minded; term of office; organization; bond; to procure plans and erect building; compensation. N. D. 36, 11 Mr
- 4146 Referring to next legislature constitutional amendment removing institution for feeble-minded from Jamestown to Grafton. N. D. p.276
- 4147 Counties charged with maintenance of inmates of home for feeble-minded to have same remedies to collect sums charged from their estates as in case of insane persons. Wis. 63, 21 Mr

## Penal institutions

(See also *Charities and corrections*, 4009; *State finance—institutions*, 1403; *State government—institutions*, 3095; *Criminal procedure—apprehension, transportation, sentence and execution*, etc.)

### State boards

- 4148 Prison commissioners may spend \$300 annually to entertain visitors. Mass. 224, 2 Ap
- 4149 Governor to appoint 5 persons, 2 women, board of prison commissioners; term 5 years; chairman's salary \$4000; others no salary; prison commissioners abolished and duties given to board. Mass. 364, 3 My

- 4150 Governor to appoint 3 [formerly 8] persons state prison commission and designate president; term 4 years; president's salary \$2500; others no salary. Amending '95 ch.1026. N. Y. 12, 7 F
- 4151 Governor and senate to appoint advisory board of visitors to female penal and correctional institutions annually at January session of assembly; term 1 year beginning Feb. 1; to report at *January* session [formerly adjourned session in Providence]. Amending G.L.'96 ch.292 §1, 4-5. Repealing §6. R. I. 809 §50, 29 Ja
- 4152 State board of corrections to expend annually for books kept at state prison such sum as it may determine [formerly \$100]. U. 83, 14 Mr
- 4153 Board of prison commissioners to consist of lieutenant-governor, *last preceding lieutenant-governor* [formerly chief justice of supreme court] and directors of state prison and house of correction. Amending '98 ch.126 §2. Vt. 104, 27 N 00

### Prisons

- 4154 State prisons. Inspectors of convicts to establish separate camp for convicts having tuberculosis; to fix regulations. Ala. p.194, 5 Mr
- 4155 Amending C.'96 §4457 as to salaries of inspectors of convicts and their clerks and chaplains. Ala. p.200, 5 Mr
- 4156 Salary of superintendent of territorial prison \$3000 [formerly \$2000] a year. Ari. R.S.'01 p.1490, 21 Mr
- 4157 Repealing G.S.'97 ch.133 §32 as to salaries of officers of state penitentiary. Kan. 356, 8 Mr
- 4158 U. S. courts to sentence prisoners to Boston state prison; U. S. to pay expenses of keeping. Amending P.S.'82 ch.221. Mass. 358, 3 My
- 4159 Salary of physician at Stillwater state prison to be \$1500 [formerly \$1000]; appointing assistant prison physician [formerly hospital steward]. Amending '99 ch.228. Minn. 286, 13 Ap
- 4160 \$800 for prison chaplain; \$200 for prison library; \$5000 for prison improvements and repair; governor to draw warrant for state prison deficit. N. H. 75, 20 Mr
- 4161 Superintendent of state prisons may transfer prisoners [formerly other than those sentenced to New York state reformatory] from eastern New York reformatory to state prisons. Amending '00 ch.348. N. Y. 388, 17 Ap
- 4162 Providing for incorporation, government and management of state prison; governor to appoint 5 directors; term 4 years. N. C. 472, 8 Mr
- 4163 Salaries of officers and employees of prison to be fixed by board [formerly by statute]. Amending R.S.'98 §2238. U. 98, 14 Mr
- 4164 On request of citizen, superintendent of state penitentiary to give within 30 days information as to supplies bought by advertisement. Va. 275, 16 F

- 4165 Wives and minor children of warden and deputy warden may be subsisted in prison at state expense; board of control may require warden to subsist himself and family and allow \$1200. Amending S.'98 §4980. Wis. 277, 2 My
- 4166 State board of charities and reform to remove all convicts to state penitentiary; appropriation for improvements. Wy. 47, 16 F
- 4167 State reformatories. Changing name of reformatory prison to industrial farm; sentence to chain gang or industrial farm at discretion of judge; no criminal in chain gang to be transferred to industrial farm. Ga. p.77, 17 D 00
- 4168 Persons confined in state industrial reformatory restored to civil rights and released from disabilities created by conviction. Kan. 227, 1 Mr
- 4169 Board of managers of state industrial reformatory to consist of 3 members appointed by governor; term 4 years; powers and duties; reports; duties of officers of institution; commitment, transfer, discipline and parole of prisoners. Kan. 355, 1 Mr
- 4170 By authority of prison commissioners boys may be transferred from reform school established by general or special act to Massachusetts reformatory and returned. Amending '84 ch.255 §13. Mass. 128, 12 Mr
- 4171 Prison commissioners may remove from state prisons to reformatory any except life prisoners. Amending '94 ch.249 §1. Mass. 340, 1 My
- 4172 Changing name of state house of correction and reformatory at Ionia to Michigan reformatory. Mich. 75, 22 Ap
- 4173 Regulating management of New Jersey reformatory; board of control to consist of governor and 8 appointees confirmed by senate; bipartisan; term 4 years; board to appoint superintendent for 5 years at \$3000; accounting; contract labor system; indeterminate sentence; transfer of prisoners; discharge and parole. N. J. 104, 21 Mr
- 4174 Elmira reformatory changed to New York state reformatory at Elmira; board of managers *shall* [formerly may] appoint superintendent, assistant superintendent, chaplains, physicians or stewards; superintendent may with consent of board appoint other officers and employees removable by him or board. Amending '00 ch.378. N. Y. 193, 26 Mr
- 4175 Unserviceable machinery in industrial reformatory to be sold. Pa. 92, 2 My
- 4176 State board of control with approval of governor may buy 150 acres of land at state reformatory; price not over \$150 an acre. Wis. 289, 4 My
- 4177 Reform schools. Boys under 10 not to be committed to Connecticut school for boys except for state prison offenses. Ct. 56, 14 My
- 4178 Connecticut school for boys may be used under authority of U. S. for confinement of boys convicted in U. S. courts. Ct. 57, 14 My
- 4179 Establishment and maintenance of state home for delinquent boys. Ill. p.67, 10 My

- 4180 No county to be charged with care of nonresident female infant in industrial school, unless guardian or residence unknown; no prostitute or penal offender to be committed to industrial school for girls; girl named in petition to be placed in custody till hearing; discharge from school. Amending R.S.'99 ch.122 §322-23. Ill. p.263, 11 My
- 4181 Persons confined in state reform school or industrial school for girls to be prosecuted and punished for committing certain offenses. Kan. 172, 8 Mr
- 4182 Amending R.S.'83 ch.142 §20, 31 relating to state industrial school for girls; trustees to have powers of guardian; may bind to service girl committed to their charge; penalty for aiding girl to escape. Me. 237, 21 Mr
- 4183 Industrial home for girls at Adrian to employ [formerly resident] woman physician. Amending '99 ch.185. Mich. 85, 25 Ap
- 4184 Providing for commitment of children under 18 to state reform school. Neb. 74, 31 Mr 87. *Partly unconstitutional*. Age limit fixed by constitution at 16. Scott v. Flowers, 85 N. W. 857.
- 4185 Amending C.S.'99 ch.75 as to appointment and removal of officers and teachers in boys industrial school and girls industrial school; procedure for commitment. Neb. 51, 29 Mr
- 4186 Inmate escaping from industrial school may be sentenced to additional term. N. H. 15, 20 F
- 4187 Minor under 14 may be sent to industrial school in default of bail. Amending P.S.'01 ch.284 §14. N. H. 110, 22 Mr
- 4188 Amending '00 ch.190 as to duties of trustees, treasurer and farm superintendent of state home for girls; funds appropriated to be paid to treasurer quarterly; amount to be proportioned to number of girls maintained preceding quarter. N. J. 25, 7 Mr
- 4189 Trustees of state reform school may issue bonds not over \$20,000 for erection of buildings. N. D. 173, 13 Mr
- 4190 With consent of parent or guardian vicious or incorrigible male minors may be sent to Philadelphia protectory for boys. Pa. 155, 11 My
- 4191 Commitment papers to industrial home for girls to be sent to superintendent who shall send for girl. Amending C.'99 ch.45 §98e. W. Va. 47, 18 F
- 4192 Governor to appoint board of 7 [formerly 6] directors of reform school; not more than 5 [formerly 4] of one party; term of office to begin May 1 [formerly June]. Amending '97 ch.26. W. Va. 48, 20 F
- 4193 Criminal insane. Physician of state penitentiary, superintendent of insane hospital and secretary of state board of health to act as penitentiary medical board; to pass on sanity of convicts and consign insane to insane hospital. Neb. 37, 1 Ap
- 4194 Criminal pleading insanity may be committed to state asylum for examination. N. H. 21, 20 F
- 4195 County jails and workhouses. Sheriff of counties over 50,000 to appoint matron of county jail; term 2 years; powers and duties. Cal. 231, 23 Mr

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- 4196 In counties over 50,000 sheriff to appoint prison matron and necessary assistants; duties. Ind. 132, 9 Mr  
4197 Sheriff may occupy or lease parts of jail not used for prisoners; county court *may* [formerly shall] fix rent. Amending S.'94 §2906-7. Vt. 41, 27 N 00  
4198 **Municipal jails.** In cities over 15,000 legislative body to appoint police matron; duties. Cal. 179, 23 Mr

**Convicts—commitment, management**

**Commitment. Discipline. Instruction**

- 4199 Amending C.'96 §4451 as to appointment of chaplain and assistant chaplains for moral and religious instruction of convicts. Ala. p.196, 5 Mr  
4200 Felony to bring into jail explosives, weapons, narcotics or intoxicating liquors. Amending Pen.C. §180a. Cal. 92, 8 Mr  
4201 Unlawful to provide state prison convict with opium or alcoholic liquors. Nev. 8, 18 F  
4202 Directors of penitentiary may grant money as reward for good behavior. N. C. 726, 14 Mr  
4203 When convict escapes from prison time he is absent not counted part of term. Amending S.'98 §4733. Wis. 75, 23 Mr

**Sentence. Parole. Pardon**

- 4204 Life convicts not to be paroled till after 7 years; governor may revoke parole. Amending '93 ch.155. Cal. 64, 28 F  
4205 Court sentencing person to state prison except for life or execution, not to fix definite term but maximum and minimum; after serving minimum term prisoner may be paroled; discharge; employment. Amending G.S.'88 §1644. Ct. 78, 17 Je  
4206 Extending indeterminate sentence law to women now serving fixed terms of imprisonment. Amending '99 ch.223. Ind. 145, 9 Mr  
4207 Governor may parole prisoners confined in state penitentiary; restrictions; duties of judge, warden, physician and sheriff; records. Kan. 269, 19 F  
4208 Prison wardens to report monthly to governor information concerning paroled convicts, and at once all violations of rules or disorder; convict escaping from parole to be treated as if from prison. Adding §67 to C.L.'97. Mich. 73, 19 Ap  
4209 Submitting constitutional amendment permitting legislature to provide for indeterminate sentences. Vote November 1902. Mich. p.391  
4210 Life convicts may be paroled after 35 years by consent of board of pardons; no paroled convict to exhibit himself for pay. Amending '94 §7510. Minn. 232  
4211 Sentences to state prison except for life or as habitual criminal, to fix maximum and minimum term; at expiration of minimum term governor to release on parole for good behavior; additional sentences take effect at expiration of minimum term. N. H. 58, 7 Mr



- 4212 Prisoners serving sentence in state prison for felony may be paroled if maximum sentence is not over 5 years. Amending '89 ch.382. N. Y. 260, 4 Ap
- 4213 On 1st conviction of felony offender to be sentenced to state prison under indeterminate sentence. Adding §687a to Pen.C. N. Y. 425, 18 Ap
- 4214 With approval of board of managers and by direction of governor, convicts may earn commutation of sentence; 2 months 1st year; 3, 2d year; 4, 3d and 4th years; 5, succeeding years; monthly report to governor; conditions; regulations; act to be read to prisoners. Pa. 133, 11 My
- 4215 Governor may [formerly shall] refer applications for pardon or conditional discharge to board of prison commissioners; board may return inmates from house of correction to industrial school. Amending '98 ch.126. Vt. 104, 27 N 00
- 4216 Paroled prisoners violating conditions of parole or laws of state during term of parole to be deemed escaped and liable to reimprisonment under terms of original sentence [formerly for term sentenced]. Amending '98 ch.127. Vt. 106, 27 N 00
- 4217 Board of pardons to investigate applications for commutation of sentence, reprieve and remission of fines; regulations. Amending '99 ch.58. W. Va. 87, 15 F
- 4218 Probation. (See also Juvenile offenders, 4228) Person surrendered by probation officer not to be permitted to go at large on farther bail except by order of justice trying original charge. Amending P.S.'82 ch.212 §55. Mass. 215, 28 Mr
- 4219 Courts having original jurisdiction of criminal cases to appoint probation officers to investigate antecedents and character of prisoners over 16; sentence may be suspended and prisoner placed in custody of probation officer; officer may terminate probation; regulations. Amending Crim.P. t.1. N. Y. 372, 17 Ap
- 4220 County courts to appoint probation officer to investigate character and previous record of accused and recommend placing on probation; court to pass sentence and deliver prisoner to probation officer on such conditions as it may prescribe; officer may spend reasonable sum for maintenance; probationers and paroled prisoners to report monthly to probation officer of county; on failure or violation of parole or probation, sentence must be executed. Repealing '98 ch.128. Vt. 106, 27 N 00
- 4221 Pardon. State railroad commissioners to be advisory pardoning board to governor in felony cases. Ala. p.121, 14 F
- 4222 State board of pardons may compel attendance of witnesses at meetings; costs to be borne by person ordering summons. Del. 110, 9 Mr
- 4223 Governor to appoint pardon attorney for 2 years at \$2000; qualifications and duties. Mo. p.178, 1 Mr
- 4224 Attorney general, chief justice and 2 qualified electors appointed by governor, to constitute board of pardons to act with governor; powers and duties defined; repealing R.C.'99 §8431-41. N. D. 34, 5 Mr

- 4225 Secretary of state or any district judge to act as member of board of pardons when all members of board are not present; cases can be heard only before full board. U. 102, 14 Mr
- 4226 Discharge. Discharges from prisons to be on Monday. Cal. 21, 20 F
- 4227 1st term convicts released from penitentiary under three fourths rule to receive \$5 in addition to money mentioned in R.S.'99 §8883. Amending R.S.'99 §8919. Mo. p.218, 12 Mr
- Juvenile offenders. (*See also* Dependent and neglected children, 4048; Probation, 4218; Reform schools, 4177)
- 4228 Juvenile female offender 10 to 18 [formerly 16] may be committed to state home for not under 1 year or beyond age of 21 [formerly minority]; proceedings in commitment. Amending '93 p.23 §16-17 as amended by '95 p.295. Ill. p.262, 10 My
- 4229 Misdemeanor to imprison child under 16 in apartment with adult prisoner or to transport in same vehicle; to have separate trial. Mich. 110, 9 My
- 4230 Providing for trial of person under 21 [formerly 18] by probation officer. Amending '99 ch.154 §2, 4. Minn. 102, 28 Mr
- 4231 Probation system for delinquents under 16 in cities of 350,000; state board of charities to appoint with approval of judge, probation officer; term 2 years; salary \$800; women may be deputies; duties of courts and jailers. Mo. p.135, 26 Mr
- 4232 Providing houses of detention for juvenile offenders in cities over 100,000; board of managers of 3 men and 2 women to be appointed by judges of courts with jurisdiction in city; not more than 25 children to be received in 1 house. Pa. 297, 2 JI

### Convict labor

- 4233 General. State account. Convicts in state prison may be employed in custody of officer on part of prison premises. Mass. 106, 5 Mr
- 4234 Superintendent of penitentiary to hire out to counties convicts not needed on state farms, to work on highways and sanitary drainage. S. C. 378, 21 F
- 4235 Joint commission to investigate probable effect on penitentiary of proposed federal law forbidding shipment of prison-made goods from state to state; also to report best means for employment of convicts. Va. 242, 15 F
- 4236 Contract and lease system. Not less than 20 [formerly 50] convicts to be hired to 1 person or kept at 1 prison; exceptions. Amending C.'96 §4476. Ala. p.196, 5 Mr
- 4237 Convicts convicted of manslaughter, *when sentence is over 5 years*, not to be hired out; *existing contracts to remain in force till Jan. 1, 1902*. Amending Crim.S.'93 §565. S. C. 364, 20 F
- 4238 Prison commissioners with approval of governor may farm out state convicts to railroad corporation constructing continuous line from state coal lands to Nashville; railroad to pay fair

- compensation and give bond; to make contract satisfactory to commissioners and governor for hauling state's coal for 10 years from completion. Tenn. 160, 20 Ap
- 4239 **Special industries.** Prison labor not to be employed for stone cutting except for prison use. Adding \$1588 to Pen.C. Cal. 112, 12 Mr
- 4240 Prison directors may buy state grown hemp for grain bag manufacture. Cal. 160, 16 Mr
- 4241 Directors of state penitentiary may buy or condemn for use in mining coal, fee to land adjoining penitentiary; procedure. Amending '91 ch.152 §40. Kan. 272, 2 Mr
- 4242 Trustees of state penitentiary to issue \$210,000 of bonds to operate twine and cordage plant; provisions for sale and redemption. N. D. 199, 5 Mr
- 4243 Sale of goods. Misdemeanor to sell convict made goods unless specially authorized by law. Cal. 150, 16 Mr
- 4244 Convict made goods not to be sold unless plainly marked nor without license from secretary of state; annual license fee \$500; labor commissioner to enforce law. Ind. 264, 15 Mr
- 4245 Controller, commissioner of prisons, superintendent of prisons and lunacy commission constitute board of classification to fix prices of prison labor and articles in state charitable and penal institutions. Amending '97 ch.623. N. Y. 418, 18 Ap
- 4246 Amending R.C.'99 §8567 relating to disposal of products of penitentiary twine and cordage plant; trustees to fix price. N. D. 198, 2 F
- 4247 County and municipal convicts. Counties keeping prisoners from another county may collect for clothing furnished in addition to board allowance; \$1.20 [formerly 57c] a day for board if jail contains under 3 prisoners. Amending G.S.'94 §7429. Minn. 182, 9 Ap
- 4248 County courts may work jail prisoners on roads or public works; when 10 prisoners, work obligatory; guards and overseer; rock breaking. Mo. p.125, 13 Mr
- 4249 Board of chosen freeholders may fix rate for keeping in county penitentiary prisoners from other counties. N. J. 162, 22 Mr
- 4250 Expenses for boarding county prisoners to be paid in full before salaries are paid or pro rata is made. Amending C.L.'97 §301. N. M. 36, 16 Mr
- 4251 Sheriff or jailer to return prisoner to county sending if expenses remain unpaid 10 days after demand. Amending '89 ch.354. N. C. 718, 14 Mr
- 4252 Prison board may work prisoner on streets of borough where imprisoned if borough pays to county 35c a day. Amending '99 ch.75. Pa. 72, 24 Ap
- 4253 Cities, towns and villages in counties with no chain gangs may organize gangs to work streets. S. C. 374, 19 F

# Insurance

(See also Taxation of insurance companies, 1715)

## General—all classes

- 4254** General and miscellaneous. State auditor may reject bond offered by insurance company. Amending S.'94 §4124.  
Ark. 39, 9 Mr
- 4255** Time limit for bringing action for claim on insurance policy to be same as for promises in writing; contrary provisions in policies void.  
Ark. 46, 12 Mr
- 4256** Insurance companies to substitute registered for coupon bonds deposited in treasury and make future deposits in registered bonds.  
Ga. p.77, 17 D 00
- 4257** Insurance companies not to require insured to have additional insurance. Amending '95 ch.58.  
Ind. 253, 12 Mr
- 4258** Insurance company with capital of \$50,000 to be limited to casualty, accident and disability; foreign life, health or accident companies may be licensed in state. Amending R.S.'94 §4840.  
Ind. 263, 15 Mr
- 4259** Insurance company failing to furnish annual statement of condition or to pay tax forfeits \$5 for each day's neglect. Adding to R.S.'83 ch.49 §77.  
Me. 218, 19 Mr
- 4260** Suits against insurance companies may begin by declaration or writ served on agent or officer; judge may award costs to plaintiff if recovery is less than \$100. Amending C.L.'97 §5, 10, 444.  
Mich. 51, 9 Ap
- 4261** Amending '95 ch.175 as to computing value of assets of insurance companies; regulations as to organization and investments.  
Minn. 143, 6 Ap
- 4262** No joint stock company for insurance other than life to do business with under \$100,000 [formerly \$200,000] capital. Amending R.S.'90 §7957.  
Mo. p.189, 14 Mr
- 4263** Amending '92 ch.690 §84 as to valuation of insurance policies.  
N. Y. 346, 15 Ap
- 4264** Insurance corporation not to issue policies if capital is impaired 50%; superintendent to revoke certificate of authority. Amending '92 ch.690 §82, 86.  
N. Y. 514, 24 Ap
- 4265** Life, health and casualty insurance, life or casualty cooperative or assessment insurance, and stipulated premium life insurance corporations may with consent of superintendent of insurance amend or adopt new charter. Amending '92 ch.690 art.1 §52.  
N. Y. 722, 10 My
- 4266** Insurance company applying for removal of cause from state superior court to U. S. court or instituting suit in U. S. court against citizen of state to forfeit license. Amending '99 ch.54 §14.  
N. C. 176, 18 F
- 4267** Insurance contracts deemed domestic policies if application taken in state; statement and descriptions in application are representations not warranties.  
N. C. 705, 14 Mr

- 4268 By majority vote of stockholders present at meeting directors of insurance companies may be divided into 4 classes and elected to serve for 1, 2, 3 and 4 years respectively. Supplementing '76 ch.46. Pa. 31, 4 Ap
- 4269 State department. Submitting constitutional amendment creating a commission to perform duties of present railroad, banking and insurance departments. Vote November 1902. Cal. p.962, 16 Mr
- 4270 Amending G.S.'88 §331 as to number of copies of insurance commissioner's report to be printed. Ct. 8, 19 Mr
- 4271 Fees of insurance commissioner. Amending G.S.'88 §2824. Ct. 130, 10 Je
- 4272 Revising law as to state insurance department; commissioner to be elected for 4 years; salary \$1500; bond; duties; regulation of insurance business. 14p. Del. 99, 22 Mr
- 4273 Governor to appoint insurance commissioner; term 2 years; \$10,000 bond; salary \$1500; regulating insurance companies and beneficiary societies; annual reports; penalties. 17p. Id. p.165, 18 Mr
- 4274 Repealing '79 ch.166 §110 as to duties of superintendent of insurance. Kan. 358, 5 Mr
- 4275 Insurance commissioner to compile and print 2000 copies of insurance and fraternal beneficiary laws; \$100. Me. r.198, 19 Mr
- 4276 Superintendent of insurance to make annual valuations of policies of company insuring against disablement resulting from sickness. Amending '92 ch.690. N. Y. 635, 2 My
- 4277 Amending '99 ch.54 regulating insurance companies; department to receive stationery, supplies and supreme court reports; mutual fire companies to have \$25,000 risks by at least 25 residents; license fees; companies not to remove suits to federal courts; \$500 for detecting and punishing violations. N. C. 391, 4 Mr
- 4278 Secretary of state to return to insurance companies copies of charters and bylaws deposited under '99 ch.62 and relieve from liabilities incurred thereby; exception. N. C. 577, 11 Mr
- 4279 Insurance commissioners to receive \$1000 salary [formerly 60% of fees]; may employ deputy at their own expense. Amending S.'94 §4172. Vt. 57, 27 N 00
- 4280 2000 copies of fire and marine, 2500 copies of life casualty and surety, and 1500 of local mutual reports of insurance commissioner to be printed and distributed. Amending S.'98 §1972b. Wis. 233, 27 Ap
- 4281 License. Examination. Reports. Mutual insurance companies to file annual statement with state auditor; auditor to issue certificates to agents; fraternal insurance orders to file statement and \$10,000 bond; penalties. Ark. 159, 23 My
- 4282 Superintendent of insurance to examine affairs of insurance companies and beneficiary societies; to question officers and agents under oath; to suspend certificate if company is unsound; fees; fraternal societies exempt. Repealing '71 ch.93 §7-8, 11; '85 ch.131 §22-23. Kan. 357, 2 Mr

- 4283 Amending '99 ch.92 regulating insurance business; license requirements not to apply to charitable secret society working under supreme lodge of secret society organized in another state. Nev. 113, 29 Mr
- 4284 Amending S.'94 §4203 relating to time of report of insurance companies. Vt. 63, 27 N 00
- 4285 Foreign companies. Foreign life insurance companies to have \$200,000 [formerly \$100,000] in government bonds or interest-bearing stock; other foreign insurance companies, *firms or individuals* \$250,000 [formerly \$150,000]; fees for license \$10 [formerly \$5]; revocation of license. Amending R.S.'92 §2218-19, 2223, 2225. Fla. 50, 30 My
- 4286 Subjecting foreign insurance companies to process of courts of state. Ind. 175, 11 Mr
- 4287 Amending '77 ch.43 as to license, capital required and fees to be paid by foreign insurance companies. Ind. 180, 11 Mr
- 4288 Imposing reciprocal penalties on foreign insurance companies. Me. 155, 26 F
- 4289 Insurance corporations organized under laws of any state or country other than U. S. considered corporations of state where general deposit for policy holders is made. Amending '99 ch.79. Mich. 65, 18 Ap
- 4290 Foreign insurance companies not doing new business in state to make reports and pay tax on old business continued by collection of premiums. Tenn. 151, 18 Ap
- 4291 Policies issued by foreign insurance companies to be approved by resident agent; insurance not to be transferred to unauthorized companies; regulations. W. Va. 16, 16 F
- 4292 Foreign insurance companies to appoint state auditor and ex-officio insurance commissioner attorney for service of process; neglect forfeits right to do business in state. Wy. 32, 13 F
- 4293 Insurance agents. Agent of insurance company effecting *insurance or reinsurance* with other company not deemed broker. Amending G.S.'88 §2935. Ct. 15, 28 Mr
- 4294 Insurance commissioner may authorize corporation to act as agent for nonresident company. Ct. 32, 16 Ap
- 4295 Nonresident insurance agents not to write policies or contracts; provisions; penalty. Id. p.138, 12 Mr
- 4296 Agents of domestic fire companies subject to same liability as other insurance agents; licenses required. Me. 140, 8 F
- 4297 Firms and corporations may be licensed as insurance agents and brokers. Me. 184, 13 Mr
- 4298 Insurance agents to secure certificates of authority from insurance commissioner. Mich. 64, 25 Ap
- 4299 Insurance business other than life conducted by foreign companies to be done through resident agents; secretary of state to investigate violations; penalties. U. 74, 14 Mr

## Life and accident insurance

## Regulations. Policies

- 4300 Foreign life or accident insurance company defeated in claim contest to be liable for costs; penalty for frivolous defense. Col. 54, 23 Ap
- 4301 Beneficiary of life insurance to have bona fide insurable interest in life of person insured or be related in degree not farther removed than 1st cousin; medical examination required; penalty \$500. Ind. 174, 11 Mr
- 4302 Deposits of life insurance companies may be in 1st mortgage bonds of domestic corporations paying interest and dividends for 3 preceding years. Amending C.L.'97 §7193. Mich. 195, 31 My
- 4303 "Old line assessment plan" or "stipulated premium plan" to be plainly printed on insurance policies. Minn. 70, 22 Mr
- 4304 Providing for incorporation and regulation of life insurance companies on stipulated premium plan. Minn. 178, 9 Ap
- 4305 Domestic life or accident insurance company under stipulated premium plan law may by vote of directors amend articles of corporation and bylaws to conform to art.2 ch.119. Adding §7930a to R.S.'99. Mo. p.187, 27 Mr
- 4306 Insurance companies other than life organized to insure on health or against accident may insure life on compliance with ch.119 art.2. Amending R.S.'99 §7945. Mo. p.188, 27 Mr
- 4307 13 persons may incorporate for insurance against disablement from sickness. Amending '92 ch.690 §70. N. Y. 634, 2 My
- 4308 Age limit not to apply to life insurance companies on industrial or weekly payment plan; maximum policy on children of 2 years and under, \$12; 2 to 10, \$25; 10 to 18, \$50. Amending '97 ch.127 §8. Tenn. 164, 22 Ap
- 4309 Domestic life insurance companies may invest in street railway bonds. Amending S.'98 §1951. Wis. 22, 28 F
- 4310 Prescribing investments for stipulated premium life insurance companies. Amending '99 ch.270. Wis. 221, 26 Ap
- 4311 Accident insurance company not to limit time for service of notice of injury to less than 20 days. Wis. 235, 27 Ap
- 4312 Accident insurance company to deposit \$1000 securities with state treasurer before receiving license; exception as to foreign companies with similar deposit elsewhere. Wis. 442, 15 My
- 4313 Amending '99 ch.270 relating to organization of stipulated premium life insurance companies. Wis. 448, 14 My

## Mutual insurance

- 4314 Defining and regulating fraternal beneficiary associations. Ala. p.92, 13 D 00; p.147, 28 F 01
- 4315 Amending C.'96 §1116-19, 2577 relating to mutual aid and benefit associations and their relation to the department of insurance. Ala. p.102, 13 D 00
- 4316 Excepting certain fraternal associations from provisions of laws governing mutual aid societies. Amending C.'96 §1120. Ala. p.155, 28 F

- 4334** *Majority of trustees of fraternal societies to be residents of state; society may amend articles of incorporation by two-thirds vote after 60 days notice; official records kept at home office open to inspection of insurance commissioner; exception. Amending and adding to C.L.'97 §7747-48.* Mich. 180, 23 My
- 4335** *Ancient order of united workmen may disburse funds for benefit of members, their families, blood relatives and dependents. Amending C.L.'97 §8049.* Mich. 192, 31 My
- 4336** *Death claims against fraternal societies not valid if deceased died by unlawful means at hands of beneficiary. Amending C.L.'97 §7740.* Mich. 226, 6 Je
- 4337** *Amending G.S.'94 §2990-93 relating to incorporation of lodges of Ancient order of united workmen, and camps of Modern woodmen of America.* Minn. 2, 8 F
- 4338** *Amending '95 ch.175 relating to insurance assessments.* Minn. 166, 9 Ap
- 4339** *Providing for incorporation of lodges or camps of Ancient order of united workmen, Modern woodmen of America and Bohemian Slavonian fraternal benefit union.* Minn. 302, 13 Ap
- 4340** *Fraternal benefit associations of commercial travelers and employers subject to law relating to private corporations. Amending R.S.'99 §1423.* Mo. p.96, 23 Mr
- 4341** *Fraternal beneficiary associations may pay benefits in case of death, sickness or disability [formerly as provided by constitution and bylaws]; may continue or open business if approved by insurance commissioner. Amending '95 ch.86. N. H. 86, 21 Mr*
- 4342** *Aid given by fraternal societies exempt from execution; affidavit by officer of society of mailing assessment notice presumptive evidence. Amending '92 ch.690 §238.* N. Y. 397, 17 Ap
- 4343** *Fraternal associations not organized for profit or insurance deemed corporations; registration; status; liability of members.* N. D. 89, 20 F
- 4344** *Fraternal beneficiary societies deemed corporations not for profit; exempt from insurance laws; certificate of authorization; annual report; regulation; penalty.* N. D. 90, 14 Mr
- 4345** *Incorporation and regulation of fraternal beneficiary associations.* 17p. Okl. 16 art.1, 8 Mr
- 4346** *Mutual accident or disability insurance companies to accumulate and maintain a reinsurance reserve or emergency fund, regulations. Supplementing '76 ch.45.* Pa. 250, 10 Je
- 4347** *Defining and regulating fraternal beneficiary associations; to report annually; not to include both white and colored races; exemptions.* Tenn. 113, 13 Ap
- 4348** *Fraternal beneficiary societies not paying final judgments within 60 days to be enjoined from doing business in state till judgment is paid. Amending '99 ch.115.* Tex. 86, 15 Ap
- 4349** *Fraternal beneficiary associations doing business in state may employ members to assist inactive local branches in increasing membership if compensation does not depend on increase. Amending '98 ch.78 §8.* Vt. 59, 27 N 00



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- 4350** Fraternal beneficiary associations not to be licensed if mortuary assessment rates are lower than those in the "Fraternal congress mortality table." **Vt. 60, 27 N 00**
- 4351** Regulating formation and management of beneficiary societies; certificate of authority to be filed with insurance commissioner; not to employ paid agents; mortality table prescribed, annual report to insurance commissioner; penalties. **Wash. 174, 18 Mr**
- 4352** Regulating fraternal beneficiary societies; definition; foreign association; reports; agent to be appointed; fees; meetings; penalties. **Wy. 51, 16 F**

### Fire and other casualty insurance

#### State fire marshal

- 4353** Governor to appoint state fire marshal for 4 years; officers of fire insurance companies ineligible; to investigate causes of fires; local marshals; salary of state fire marshal \$2500, deputy \$1500, clerks and other expenses \$1500; office in capitol. **Ct. 160, 17 Je**
- 4354** Insurance commissioner and chief of fire department, or if none, *chief of police* [formerly fire committee of council] to investigate incendiary fires in towns and cities, sheriff outside towns and cities; commissioner may appoint deputies; report June 1 [formerly Feb. 1]. Amending '99 ch.58. **N. C. 387, 4 Mr**
- 4355** Deputy insurance commissioner to be state fire marshal; chief of fire department and city marshal or chief of police in cities without fire department, or justices of peace outside incorporated cities and towns, to be deputy fire marshals; to investigate fires within 2 days and report to marshal; furnish data to prosecuting attorney in cases of arson; deputy marshals have powers of trial justice; may summon witnesses; may enter premises and investigate and order removal of dangerous conditions; deputies to receive \$2.50 a day; state marshal to report to governor annually. **Wash. 162, 18 Mr**

#### State insurance of public buildings

- 4356** Public buildings of territory and counties to be insured for *three fourths estimated value* [formerly amount as may be substantial protection]. Amending '99 ch.26 §1. **N. M. 107, 21 Mr**
- 4357** Insurance commissioner to pass on policies of insurance of state public buildings; no premium to be paid till commissioner approves policy and account. **N. C. 710, 14 Mr**
- 4358** Amending '00 ch.222 as to state insurance of public buildings; no insurance on state house; appraisalment of loss. **S. C. 426, 21 F**

#### Fire and marine companies

- 4359** Insured may require value of interest in fire insurance policy to be fixed. **Cal. 177, 23 Mr**
- 4360** Fire insurance companies may increase or decrease capital stock by vote of holders of majority of stock; verified copy of minutes to be filed in office of secretary of state and action approved by controller general. **Ga. p.76, 18 D 00**

- 4361 50% of total investments of fire insurance companies may be in certain *railroad bonds secured by 1st mortgage*; regulations. Amending '99 ch.73. Mich. 114, 13 My
- 4362 Fire insurance companies insuring farm property only, exempt from insurance law. Amending G.S.'94 §3193. Minn. 81, 26 Mr
- 4363 New York board of fire underwriters may before Dec. 1, 1901, with approval of superintendent of insurance make agreements and conditions to be placed in standard fire insurance policy of New York. Amending '92 ch.690 §121. N. Y. 513, 24 Ap
- 4364 Authorized fire insurance companies may insure property against damage by water, and apparatus for extinguishing fires against damage from accidental causes. R. I. 837, 28 Mr
- 4365 Domestic fire insurance companies on filing certificates of county auditors that stockholders are resident freeholders and worth amount of stock above liabilities and exemptions, to be exempt from filing securities or bonds with controller general. Amending '98 ch.442 §1. S. C. 411, 19 F
- 4366 Fire insurance companies to have \$100,000 [formerly \$150,000] paid capital stock; 80% to be in bonds or loans on real estate and deposited with state auditor [formerly \$100,000 bonds with state treasurer]; mutual companies to have 200 risks aggregating \$200,000 subscribed before certificate issues; supervision by insurance commissioner; annual statement. Amending '93 ch.107 §1-2. S. D. 140, 8 Mr
- 4367 Board of fire underwriters to meet annually in *January* [formerly March] to establish and defray expenses of fire patrol; corporations and agents doing fire insurance business in city to report *Feb. 1* [formerly Ap. 1 and Oct. 1] to board of underwriters amount of premiums during year ending Jan. 1. Amending S.'98 §1924-25. Wis. 144, 6 Ap
- 4368 Marine insurance may be conducted on Lloyds plan; regulations; license. Wis. 249, 2 My
- 4369 Liability. Losses. Prescribing form of declaration in suit on fire insurance policy. Fla. 51, 31 My
- 4370 Insurance companies refusing to pay loss within 60 days after demand liable for 25% additional. Ga. C.'95 §2140. *Unconstitutional*. Discriminates against insurance companies and denies equal protection of laws. Phenix Ins. co. v. Hart, 38 S. E. 67.
- 4371 When appraisers to adjust fire losses fail to agree and to appoint umpire either party may on 5 days notice apply to court of common pleas; court to appoint umpire. Supplementing G.S.'95 p.1744. N. J. 202, 22 Mr
- 4372 Insurance companies refusing to pay loss within 60 days from demand liable for interest and 25% of loss additional; policyholders bringing suit in bad faith liable for 25% of loss claim. Tenn. 141, 18 Ap
- 4373 Perjury to swear falsely in adjustment of fire loss. Vt. 64, 26 N 00

- 4374 Foreign companies. Reinsurance.** Insurance companies reinsuring property with company not authorized to do business in state, to be responsible for entire tax thereon; insurance company agents to pay \$5 for certificate of authority to solicit.

Ark. 115, 22 Ap

- 4375** Fire insurance companies not to authorize nonresident agents to solicit insurance; agents not to pay commissions to non-residents; penalty; auditor may examine persons and records.

Ark. 181, 23 My

- 4376** Affidavit of person licensed to procure fire or bombardment insurance in foreign companies stating that insurance can not be procured in companies doing business in state, to be effective 1 year only. Amending '98 ch.380 §83.

Mass. 59, 19 F

- 4377** Regulating reinsurance and transaction of business by fire insurance companies otherwise than through resident agents.

Nev. 31, 6 Mr

- 4378** Foreign fire insurance companies to transact business through resident agents only; territory to receive taxes on premiums; not to apply to insurance on rolling stock of railroads; duties of territorial auditor; penalties.

N. M. 106, 21 Mr

- 4379** Foreign fire insurance companies not to place policies otherwise than through resident agents so state may receive taxes thereon; records and officials of companies subject to examination by commissioner; penalty.

N. D. 100, 9 F

- 4380** Regulating organization and business of reinsurance companies.

Wis. 232, 27 Ap

#### Mutual companies

- 4381** Companies under church authority and insuring church property only are exempt from law regarding licensed agents. Amending C.'96 §2586.

Ala. p.180, 4 Mr

- 4382** Amending R.S.'99 ch.73 §110-11 relating to township fire insurance companies; adjustment of losses; borrowing money; assessment.

Ill. p.218, 11 My

- 4383** 9 to 15 directors for county fire insurance companies; election; term; adjustment of losses; borrowing power; assessment; reports to insurance superintendent; renewal of charter. Amending R.S.'99 ch.73 §83, 91-92, 97.

Ill. p.220, 11 My

- 4384** Farmers mutual insurance companies may insure country school-houses and churches, and threshing machines while in operation. Amending '91 ch.13 §14.

Minn. 171, 9 Ap

- 4385** Town insurance companies to choose treasurer who shall give bond; may insure *all* property on farm whose dwelling house is within their town; regulations. Amending '97 ch.164.

Minn. 172, 9 Ap

- 4386** Town mutual insurance companies to be subject to laws governing insurance *other than life*. Amending R.S.'99 §8064.

Mo. p.190, 25 Mr

- 4387** Mutual insurance companies may extend insurance to cover personal property temporarily removed from territory in which insured if not beyond limits of adjoining county. Amending C.S.'99 ch.43 §60.

Neb. 40, 30 Mr

- 4388 Limit of operations and membership of mutual fire insurance companies extended to *state* [formerly county in which organized]; unless including whole state, company must declare business locality, in constitution or bylaws. Amending '99 ch.37. Nev. 98, 21 Mr
- 4389 Town and county cooperative insurance corporations may extend existence by consent of two thirds of directors. Amending '92 ch.690. N. Y. 142, 21 Mr
- 4390 Town and county cooperative insurance corporations may change name without approval of superintendent of insurance. Amending C.C.P. §2411. N. Y. 374, 17 Ap
- 4391 County mutual insurance companies whose fire, lightning and cyclone insurance aggregates \$300,000 may *increase loss fund to 1% of total insurance in force*, in no case to exceed \$10,000 [formerly \$3000]. Amending R.C.'99 §3139. N. D. 55, 5 Mr
- 4392 Amending '99 ch.17 art.1 relating to organization and change of location of mutual insurance companies; *insurance not to exceed three fourths of cash value; foreign companies to have \$100,000 reserve.* Okl. 16 art.2, 8 Mr
- 4393 Church fire and tornado insurance companies may operate on satisfying controller that they have capital or guaranty fund of \$50,000 in interest bearing securities. S. C. 412, 20 F
- 4394 Directors of mutual insurance companies to hold office 3 [formerly 1] years; *one third* [formerly all] elected annually; terms of president, *vice-president*, secretary and treasurer 3 [formerly 1] years. Amending '89 ch.69 §9. S. D. 138, 8 Mr
- 4395 Mutual insurance companies not to insure city or town [formerly village] property *unless on lands used for farming purposes.* Amending '97 ch.71 §8. S. D. 139, 11 Mr
- 4396 Church insurance companies may organize with capital of \$50,000 on depositing \$50,000 cash or securities with state treasurer. Amending C.'96 §3292. Tenn. 131, 13 Ap
- 4397 Domestic mutual fire insurance companies to accumulate reserve of 4% on face of premium notes in force. Vt. 61, 27 N 00
- 4398 Mutual insurance companies in cities and villages may insure in 8 contiguous counties; amount not to exceed \$2000 on one risk. Amending S.'98 §1941-45. Wis. 69, 23 Mr
- 4399 Women may vote by proxy at annual meeting of mutual fire insurance companies; no person to vote more than one proxy. Amending S.'98 §1928. Wis. 81, 23 Mr
- 4400 "Town insurance company" to be in name of such corporation; copy of articles of association and bylaws to be filed with insurance commissioner. Amending S.'98 §1927. Wis. 202, 23 Ap

#### Miscellaneous casualty

- 4401 Amending '99 p.337 as to capital and bonds of live stock insurance companies. Ill. p.217, 10 My
- 4402 Increasing territory of mutual wind insurance companies. Ill. p.226, 10 My

- 4403** Mutual wind insurance companies may issue policies on *horses and cattle on premises*; loss adjustments; power to borrow; assessment. Amending '83 p.111. Ill. p.227, 10 My
- 4404** Companies insuring against loss by burglary or robbery may be licensed; to have 500 policies in force; regulations. Ind. 149, 9 Mr
- 4405** Mutual hail insurance companies may be incorporated by 50 or more persons; bonds; organization; reserve fund; payment of losses; reports; penalty for perjury. Repealing '98 ch.24; '99 ch.149. Kan. 230, 2 Mr
- 4406** Repealing '86 ch.113 providing for incorporation of mutual live stock insurance companies. Kan. 231, 5 Mr
- 4407** Insurance companies may insure against loss by breakage or accident to machinery. Amending '94 ch.522 §29. Mass. 296, 16 Ap
- 4408** Companies or persons not to do business of *employers liability, health, burglary, credit or casualty* insurance without certificate from insurance commissioner; unsettled claims in employers liability insurance. Amending C.L.'97 §5110, 5112-13. Mich. 190, 29 My
- 4409** Amending R.C.'99 §3137, 3142 relating to payment of hail insurance premiums; assessments and liability of policy holders. N. D. 109, 13 Mr

### Surety and guaranty companies

(See also Suretyship, 2084; Bonds of various public officers under specific heads)

- 4410** Incorporation. Regulation. Title guaranty companies authorized; conditions. Ill. p.128, 11 My
- 4411** Surety companies may incorporate with not under \$200,000 capital stock; powers; report to state auditor; regulations. Ind. 50, 2 Mr
- 4412** Fire districts may appropriate money to pay insurance companies for acting as sureties on bonds of officials. Amending '97 ch.132. Mass. 76, 20 F
- 4413** Providing for organization of fidelity and surety companies. Amending G.S.'94 §3296. Minn. 281, 13 Ap
- 4414** Insurance companies may become surety on bonds of persons and corporations, subject to rights and liabilities of persons. Amending C.S.'99 ch.43 §8. Neb. 39, 1 Ap
- 4415** Corporations incorporated by state or authorized by insurance commissioner to transact business and permitted by charter may be security on probate bonds. N. H. 109, 22 Mr
- 4416** Title guaranty corporation not to have capital over \$10,000,000 [formerly \$2,000,000]; regulating merger of title and credit guaranty and trust corporations. Amending '92 ch.690 §170, 179. N. Y. 677, 3 My
- 4417** Fidelity company to deposit copy of charter with insurance commissioner; appoint commissioner agent for service of process; statements; minimum capital stock \$100,000; domestic company \$25,000; annual fee \$100; domestic company \$25; failure

- to pay judgment in 60 days forfeits charter; premium on fiduciary bonds lawful expense to  $\frac{1}{2}\%$  a year. Amending '99 ch.54. N. C. 706, 14 Mr
- 4418 Surety company with paid capital of \$100,000 may be sole surety on bonds of officers for amount not over one fourth paid up capital. Amending '99 p.193. Or. p.103, 25 F
- 4419 When corporation has become surety on bond suit may be brought in county where bond was approved; officer may deputize any deputy sheriff in state to serve process on officer or manager of corporation. Pa. 227, 4 Je
- 4420 Revising laws relating to powers granted to surety companies of other states or territories. Amending '93 ch.27. W. Va. 86, 14 F
- 4421 Foreign casualty or surety company not to do business except through resident agent. Amending S.'98 §1945e. Wis. 227, 26 Ap

## Transportation. Communication

(See also Taxation, 1444; Corporations, 1114; Liens, 1834)

### General

- 4422 Submitting constitutional amendment; 5 commissioners elected for 10 years at \$6000 a year; to establish rates for railroad, gas, electric light, water, telephone, telegraph, sleeping-car and express companies; judicial powers to hear and investigate complaints; to license public service corporations and fix fee therefor sufficient to defray expenses of commission; to perform duties of present railroad, banking and insurance departments. *Vote November 1902.* Cal. p.962, 16 Mr
- 4423 Street railway not to be opened without certificate from railroad commissioners; annual examination of railroads and report; powers of commissioners as to construction of street railways; appeals to commissioners and to superior court; witnesses; salaries and expenses of commissioners paid monthly from state treasury and apportioned yearly among railroads of state. Ct. 156, 17 Je
- 4424 Repealing '85 ch.65 and '87 ch.60 providing for board of railroad commissioners and board of transportation. Neb. 50, 30 Mr
- 4425 Corporation commission to make rates for *street* railways; commissioners and clerks to be transported free over *transportation lines* [formerly railroads] under their supervision; to take with them experts or other agents whose service may be of importance; may hold sessions elsewhere than at capital when advisable. Amending '99 ch.164. N. C. 679, 14 Mr
- 4426 Transportation corporations not to consolidate with, lease or purchase competing lines; penalty. Pa. 27, 4 Ap

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**Railways. Common carriers**

- 4427** Railroad commissioners. Board of railroad commissioners of 3 members to be elected by executive council; term 3 years; salary \$2500; records; supervision; power to fix rates; duties. 20p. **Kan. 286, 26 F**
- 4428** Railroad commissioners to have assistant clerk, appointed by governor on their recommendation. **Me. 254, 21 Mr**
- 4429** Board of railroad commissioners may spend \$3000 annually for books, maps, statistics, stationery and incidental expenses. **Mass. 54, 14 F**
- 4430** Perjury to swear falsely before board of railroad commissioners. Amending P.S.'82 ch.112 §25. **Mass. 286, 11 Ap**
- 4431** Board of railroad consolidation may employ clerk at \$5 a day and expenses. Amending '01 ch.80. **Mich. 153, 22 My**
- 4432** Commissioner of railroads may have printed 500 copies of annual reports of railroad companies. Amending '99 ch.44 §13. **Mich. 219, 6 Je**
- 4433** Creating railroad commission. Attorney general, secretary of state, auditor of public accounts, state treasurer and commissioner of public lands and buildings to be board of transportation and appoint 3 secretaries at \$2000 each; to supervise railroads and investigate discriminations; railroads to make annual reports; regulations. **Neb. 60, '87. Unconstitutional. Bill was not read in each house 3 times with same title. State v. Burlington and M. R. R. Co., 84 N. W. 254.**
- 4434** Governor and senate to appoint state railroad commissioner triennially at January session of assembly; term to begin Feb. 1; to report to assembly at *January* session [formerly adjourned session in Providence]. Amending G.L.'96 ch.187 §1, 6. **R. I. 809 §41, 29 Ja**
- 4435** Railroads failing to obey orders of railway commission may be fined \$5000. Amending R.S.'95 §4576. **Tex. 100, 17 Ap**
- 4436** State railways. Repealing '97 ch.38 creating board to establish and operate state railroads and telegraphs. **Ark. 84, 6 Ap**

**Organization. Property. Powers**

- 4437** Foreign railroad corporations may construct and operate lines on same conditions as domestic companies, copy of corporation certificate to be filed in county recorder's office of county where operating. **Nev. 40, 11 Mr**
- 4438** Prohibiting establishment of rail, plank or tram roads except by law; narrow-gauge railroads or tramroads used principally for transportation of logs excepted. Amending C. §1717. **N. C. 282, 27 F**
- 4439** General law for incorporation and government of passenger railways elevated or underground. **Pa. 251, 7 Je**
- 4440** Railroads may amend charters to provide for extensions, branches and terminal properties; issue bonds and stock to value of new property; former liens not to attach to new property. **Tex. 91, 15 Ap**

- 4441 Incorporation. Officers.** Railroad companies existing under special charters may institute action against state on repeal of charter; process to be served on governor; final judgment to be certified to auditor general and paid by treasurer one third annually with interest. Mich. 4, 15 O 00
- 4442** By vote of majority of shares represented at meeting, transportation corporations may classify directors into not more than 4 classes to serve for different terms with partial renewal; vacancies filled by board of directors. Pa. 2, 9 F
- 4443** Revision of law relating to formation of railroad corporations. U. 26, 7 Mr
- 4444 Stock. Bonds. Mortgages.** Amending '97 ch.186 relating to increases of stock by railroad; unsubscribed stock to be sold to highest bidder in Boston Mass; shares to be sold at par value. Me. 173, 8 Mr
- 4445** Railroad company with capital stock insufficient for constructing and operating road, or for any other purpose authorized by law, may increase its capital stock. Amending R.S.'99 §1040. Mo. p.98, 17 Ap
- 4446** Trustees in mortgages of railroad companies may enter satisfaction of same on records without producing bonds. Mo. p.99, 5 Ap
- 4447** Providing for sale of increased capital stock of railroad corporations. Amending '97 ch.19. N. H. 42, 28 F
- 4448** Railroad commissioners to consider franchise values in determining capital stock and bonds to be issued on consolidation of street railways. Amending '95 ch.27 §17. N. H. 51, 7 Mr
- 4449** Transportation corporations may own, sell and guaranty stock and bonds of other transportation companies. Pa. 28, 4 Ap
- 4450** Railroads may increase capital stock to buy other railroads or make improvements. Amending S.'98 §1826. Wis. 461, 15 My
- 4451 Public aid.** Encouraging construction of railroads other than street and electric; property exempted from taxation for 10 years from 1901; proposed railroads to file statement within 6 months as to course and terminal points, and within six months thereafter begin construction at rate of not less than 5 miles for each 12 months. Ari. R.S.'01, p.1448,F
- 4452** Cities of first class over 30,000 may issue bonds to aid railroad corporations in securing lands for additional terminal facilities and shops; procedure. Kan. 69, 14 F
- 4453** Lands heretofore or hereafter granted railroads to be taxed at same rate as other lands. Minn. 168, 19 Mr 95. *Unconstitutional* as to lands granted except those of *Great Northern railroad*; impairs obligation of contracts. *Stearns v. Minnesota*, 179 U. S. 223.
- 4454** Exempting deeds to railroads heretofore executed conveying lands not taxable prior to 1900 from operation of G.S.'94 §1624 requiring tax certificate when presented for registry. Minn. 877, 13 Ap



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- 4455 Consolidation. Sale. Lease.** In consolidation of railroad corporations stockholders in either may be paid *actual* [formerly *par*] value for shares. Amending C.'96 §1168. **Ala.** p.53, 10 D 00
- 4456** Regulating consolidation of railroad corporations. Amending C.C. §473. **Cal.** 152, 16 Mr
- 4457** Railroad company may sell or lease lines. Amending '99 p.81. **Id.** p.214, 12 Mr
- 4458** Railroad companies buying or leasing other railroads may issue in payment bonds secured by trust deed or mortgage on property, rights and franchises, including property and rights acquired. Amending C.L.'97 §6339-40. **Mich.** 30, 28 Mr
- 4459** Domestic railroad company may sell or lease line. Amending '99 ch.10. **Okl.** 11 art.4, 20 F
- 4460** Railroad corporations owning two thirds of stock of similar corporations with railroad connecting may acquire franchises, property, rights and credits of latter; copy of agreement to be filed with secretary of commonwealth; appraisal on petition of dissatisfied stockholder. **Pa.** 20, 22 Mr
- 4461** Consolidation of railroads to be subject to limitations of constitution as to parallel and competing lines; on consolidation charter to be issued to new company; fees. **S. C.** 406, 23 F
- 4462** Railroads may buy other railroads, consolidate, or lease noncompeting lines; regulations. Amending R.S.'98 §433, 435, 442. **U.** 2, 18 Ja
- 4463** Railroad companies may consolidate, but not if parallel or competing roads, nor unless forming through line. Amending C.'99 ch.54 §53. **W. Va.** 103, 21 F
- 4464 Location. Right of way.** Railroad companies may acquire necessary lands for right of way for *main line spurs, side tracks and extensions*. Amending C.'96 §1163 subdiv.8. **Ala.** p.29, 5 D 00
- 4465** Providing for exercise of right of eminent domain for spur or side track. Amending Ann. S. §1716. **Col.** 74, 30 Ap
- 4466** Owners of coal or mineral lands constructing connecting railway spur to have right of eminent domain. **Col.** 92, 15 Ap
- 4467** Railroad companies need not furnish map in condemnation proceedings of property adjacent to main line of railroad; petition to court of county need not specify that survey has been finished and map filed; company in possession of another road may begin condemnation proceedings in its own name. Amending C.L. §6232, 6243-44. **Mich.** 30, 22 Ap
- 4468** Railroads may condemn land for diversion of streams. **N. H.** 111, 22 Mr
- 4469** Foreign railroad companies owning lines within territory may exercise right of eminent domain and extend lines; to file declaration of intention with secretary of territory and county clerks. **N. M.** 9, 27 F
- 4470** Railroad in operation 1 year is presumptive evidence that consent of local authority has been given. Amending '90 ch.565 §91. **N. Y.** 638, 2 My

- 4471 When right of way has been neglected for 5 years, right of another to appropriate it to be preferred. Amending R.C.'99 §5958. N. D. 75, 6 Mr
- 4472 Railroads not to condemn land situated more than 2 miles from right of way. Amending R.S.'95 §4445 as amended by '99 ch.68. Tex. 36, 1 Ap
- 4473 City councils may grant 100 year franchises to railroad and union depot companies. Amending R.S.'98 §206. U. 124, 23 Mr
- 4474 Granting 100 feet rights of way to railroad companies on state land; appraisement and regulations. Wash. 173, 18 Mr
- 4475 Railroads may relocate lines to improve roads; condemnation; may not abandon lines needed by industries or communities. Amending C.'99 ch.54 §48. W. Va. 82, 21 F
- 4476 By two-thirds vote of directors railroad company may empower president and engineer to designate new or change existing route; procedure. Wis. 428, 14 My
- 4477 Construction. Operation. Foreign railroad companies may extend and build branches to lines to state; \$100 fee for filing declaration of intention; provisions. Col. 53, 27 Ap
- 4478 Amending G.S.'94 §2749 relating to extensions and branches of railroads. Minn. 225, 10 Ap
- 4479 By two-thirds vote of directors railroad companies may extend and build branches; plans to be filed with secretary of state. Minn. 246, 11 Ap
- 4480 Railroads in state may build extensions and branches; certified copy of resolutions of directors filed with secretary of state to be held as amendment to charter; fee same as for original charter; maps; notification of landowners; right of way. Mo. p.98, 17 Ap
- 4481 Extending time for completion of railroads on which work has been begun since Jan. 1, 1886, 2 years from Dec. 1, 1902; railroads to file agreement approved by governor and attorney general with secretary of state. N. J. 10, 21 F
- 4482 Steam railroad which has secured one third of right of way, begun construction, or obtained certificate from railroad commissioners that public convenience requires road may have time of construction extended 3 years from Jan. 1, 1901. Amending '95 ch.700. N. Y. 617, 29 Ap
- 4483 Railroad corporations may make surveys, hold and acquire real estate, construct roads and carry persons and property *within or without territory*. Amending '98 ch.17. Okl. 11 art.3, 20 F
- 4484 Railroad desiring to build branch line to adopt resolution defining line and designating termini and file with secretary of state. Or. p.298, 27 F
- 4485 Extending 2 years time for companies to construct railroads; branches and extensions to be completed 10 miles first year and 20 miles each succeeding year. Tex. 23, 12 Mr
- 4486 Time extended in which certain railroad companies may complete roads. Amending '97 ch.18. W. Va. 109, 23 F

- 4487 Bridges. Tunnels.** Railroad companies may build bridges over streams with navigable part wholly in state if location and plans are approved by chief of engineers and U. S. secretary of war. Mo. p.97, 20 Mr
- 4488** Railroads not to make tunnel charges, except for travel to or from points outside state. Mon. p.164, 26 F
- 4489** Railroads may build bridge to middle of Delaware river and connect with railroads from other states by paying sum fixed by riparian commissioners. Supplementing G.S.'95 p.2638. N. J. 20, 2 Mr
- 4490** Railroads may be built by means of bridge to middle of river forming state boundary. Pa. 29, 4 Ap

**Freight traffic**

- 4491 Rates. Discrimination.** Rates and regulations prescribed by railroad commission to be accepted as reasonable in actions between private parties and railroad companies. Ark. 24, 27 F
- 4492** Railroad commissioners to fix storage charges of railroads; regulations; suit for overcharges; discrimination; railroads to publish notice of freight rates on melons annually. S. C. 408, 15 F
- 4493** Repealing '97 ch.10 §23 making forbidden rebates by railroads punishable by fine of \$100 to \$500. Tenn. 163, 22 Ap
- 4494** Cars loaded with lumber to be weighed, and freight charges based on weight. Wash. 144, 18 Mr
- 4495** Miscellaneous regulations. Amending C.'96 §4226 relating to sale of unclaimed nonperishable freight. Ala. p.126, 15 F
- 4496** Railroad companies leasing railroad property to forfeit charter on failure to furnish prompt facilities for travel and shipment of freight; procedure; road to revert to lessor. Ark. 208, 23 My
- 4497** Common carriers may sell at auction perishable freight on 3 days' and animals on week's notice if consignee fails to pay or tender charges in 24 hours from arrival. Mich. 236, 6 Je
- 4498** Common carrier lawfully storing personal property may after 90 days default of payment advertise and sell at auction. Amending C.C. §2495-96. Mon. p.153, 25 F
- 4499** Carrier on demand must deliver to consignor original bill of lading and reasonable number of copies. Amending C.C. §2834. Mon. p.154, 28 F
- 4500** Railroad company allowing freight to remain for more than 5 days unshipped, unless otherwise agreed to forfeit and pay to party aggrieved \$500 [formerly \$25] for each day freight remains unshipped and damages. Repealing '91 ch.520 and amending C. §1962. N. C. 634, 13 Mr
- 4501** Misdemeanor for corporation or person to interfere with person furnishing feed or bedding for live stock in transportation. N. D. 122, 12 Mr
- 4502** Common carriers to provide track connections for transfer facilities at grade crossings; procedure to determine payment of expense. N. D. 195, 13 Mr

**Passenger traffic**

- 4503 **Tickets. Passes. Rates.** On tender of price railroads to furnish tickets and transportation or *pay actual damages* for failure [formerly \$200]. Amending C.C. §490. Cal. 194, 23 Mr
- 4504 Forbidding counterfeiting of mileage books, tickets or passes of railroads; penalty. Mass. 371, 8 My
- 4505 Forbidding sale of railroad and steamboat tickets by unauthorized agents. Amending '92 ch.676 §38. N. Y. 639, 2 My
- 4506 Railroad companies may carry free state superintendent of public instruction on official business. Amending '99 ch.164 §22. N. C. 652, 13 Mr
- 4507 Prohibiting forging or counterfeiting railroad tickets or passes. Wis. 179, 13 Ap
- 4508 Submitting constitutional amendment prohibiting giving of free passes. *Vote November 1902.* Wis. 437, 14 My
- 4509 **Train service.** Railroad corporations may make contracts for running through cars or for interchange of traffic. Amending C.L.'97 §3910. N. M. 15, 6 Mr
- 4510 Railroad companies to stop regular passenger trains at county seats; penalty. N. D. 130, 12 Mr
- 4511 Railroad commissioners may require railroads to run 1 unmixed passenger train each way daily and to furnish facilities for passage twice each way daily. Amending '96 ch.51. S. C. 407, 19 F
- 4512 Railroad commissioners on written application of church officers may authorize Sunday trains for transportation of passengers to and from church. Amending R.S.'93 §1675. S. C. 409, 21 F
- 4513 **Race distinction.** Railroad companies to provide equal and separate accommodation to white and colored races on [formerly passenger] trains; railroad commissioners may exempt branch and narrow gage lines and *mixed trains*. Amending '99 ch.384. N. C. 213, 20 F
- 4514 Providing for separation of white and colored passengers on steamboats; penalties. Amending '00 ch.312. Va. 300, 16 F
- 4515 **Stations.** Railroads to keep agent at station where business amounts to \$3000 [formerly \$15,000] annually; no agent required where business for 3 months is less than \$1500. Minn. 270, 13 Ap
- 4516 Railroad companies to maintain depots with resident agents where depots have been erected in consideration of grant of land or right of way; when depots may be abandoned. Mo. p.100, 9 Mr
- 4517 Railroads to keep stations and agents at sidings where freight shipments amount to \$25,000 [formerly \$40,000] or more and *receipts of incoming freights to \$3000 or more annually.* Amending R.C.'99 §2985. N. D. 179, 12 Mr
- 4518 Persons or officers controlling public parks in cities may make agreements whereby railroad companies may use public grounds for tracks and station buildings. Pa. 243, 7 Je
- 4519 By vote of electors, cities may grant depot sites to railroad companies. U. 49, 14 Mr

**Tracks—maintenance and safety.** (From standpoint of safeguarding. For location and construction see Organization, 4437)

- 4520 **Railroad crossings.** Railroad commissioners may, during appeal, determine how tracks of one railroad are to cross tracks of another. Me. 191, 16 Mr
- 4521 **Railroad commission to regulate railway crossings;** to provide for interlocking or other safety devices; companies refusing compliance to pay \$500 a week. Tex. 89, 15 Ap
- 4522 **Highway crossings.** Railroad commissioners to proceed on petition of street railway for removal of grade crossing as on petition of municipal authorities; regulations; appeal from decision of commissioners. Amending '95 ch.223 §1-3. Ct. 163, 17 Je
- 4523 **Boards of trustees of towns may require railroads to maintain lights at crossings.** Ind. 159, 9 Mr
- 4524 **Board of chosen freeholders may at discretion agree with railroad company to abolish grade crossings;** may raise by taxation portion of expense to be borne by county. N. J. 29, 11 Mr
- 4525 **Cities and towns may make contracts with railroads to abolish grade crossings;** may raise money therefor. N. J. 63, 20 Mr
- 4526 **Railroads to place signboards approved by board of railroad commissioners at highway crossings.** Amending '90 ch.569 §33. N. Y. 301, 8 Ap
- 4527 **Railroad crossings of highways except in cities over 100,000 to be either above or below grade unless court of common pleas decides that crossing may be at grade;** court may require gates and flagmen. Pa. 253, 7 Je
- 4528 **Railroad fencing. Killing stock.** Repealing '99 ch.45 §10 exempting logroads from requirement that railroads fence tracks. Fla. 135, 30 Ap
- 4529 **Person entitled to damages for injury to live stock by railroad may bring suit if claim is not paid in 60 [formerly 30] days from presentation;** court to render judgment for double damages *if defendant has made no offer of settlement.* Amending '99 ch.45. Fla. 136, 27 My
- 4530 **Operators of railroads to keep public record of earmarks, brands and description of live stock killed by trains;** if railroad is unfenced record of unclaimed live stock to be published monthly. Fla. 137
- 4531 **Railroad company or corporation to be liable for negligently killing or maiming animals; damages.** Amending R.S. §2680. Id. p.87, 7 Mr
- 4532 **Railroad corporations failing to fence lines to post every 90 days on depot at county seat notice of brands of animals killed.** Amending C.L.'97 §241. N. M. 86, 21 Mr
- 4533 **Requiring railroads to construct sufficient fences when adjoining fenced pasture land.** Amending '83 ch.57 §1. S. D. 123, 8 Mr
- 4534 **Railroad companies must fence tracks adjoining private lands and provide gates for private crossings.** U. 86, 14 Mr
- 4535 **Miscellaneous. Signal lights to be placed on all steam railroad switches and burned from sunset till sunrise.** Ind. 99, 8 Mr



- 4550** By unanimous consent of stockholders street railway companies may amend articles of association. Amending '93 ch.66.  
Ind. 129, 9 Mr
- 4551** Articles of association, location and petition of street railroads may be amended. Me. 177, 13 Mr
- 4552** Street railway not to be opened for public use till certified to by board of railroad commissioners. Amending P.S.'82 ch.112 §141. Mass. 368, 8 My
- 4553** Street railway companies to be managed by 3 to 15 [formerly 7] directors. Amending C.L.'97 §6439. Mich. 79, 22 Ap
- 4554** Plank road company owning street railway and whose charter has expired may continue to operate under traction act; certificate to be filed with secretary of state. N. J. 134, 22 Mr
- 4555** Street railway companies may organize under C. ch.16; not to operate without consent of municipal authorities; may condemn lands. N. C. 6, 41, 29 Ja
- 4556** Street railway companies may organize under general law; not to be operated in cities or towns without consent of municipal authorities; condemnation proceedings as for railroads; need not file map and notify occupants of land on route.  
N. C. 41, 29 Ja
- 4557** General amendments to '89 ch.227 providing for incorporation and government of street railway companies. Pa. 250, 7 Je
- 4558** On consent of local authorities, railroad corporations may build elevated or underground railroad or both. Supplementing '01 ch.251. Pa. 277, 19 Je
- 4559** Company for purpose of building elevated or underground passenger railway not to be incorporated till necessity has been determined by governor, attorney general and secretary of commonwealth; 30 days public notice to be given.  
Pa. 284, 20 Je
- 4560** Foreign street railway companies may do business in state on compliance with corporation laws; not to carry freight or parcels or manufacture and sell electricity; charters need not designate streets, roads and termini; to apply only in towns and cities of 10,000 and less. Tenn. 159, 23 Ap
- 4561** **Franchises. Location of tracks.** (See also Municipalities—franchises, 3345; Taxation—public service corporations, 1726) Electric railway companies operating outside incorporated cities and towns to have powers of railroad and canal companies to condemn right of way. Fla. 134, 31 My
- 4562** Increasing powers of street railroads; selection of route; condemnation proceedings. Ind. 207, 11 Mr
- 4563** Stockholder may maintain suit for dissolution of railroad that has lost franchise. Me. 154, 26 F
- 4564** Street railroad may extend line on application to railroad commissioners. Me. 181, 13 Mr
- 4565** Amending '93 ch.268 §6 relating to street railroads; petition for approval of location; additions may be made; no crossing tide waters without legislative consent. Me. 187, 13 Mr

- 4566 Street railroads may be located on roads proposed to be placed under state highway commission; procedure. **Mass.** 414, 17 My
- 4567 Street railways not to be constructed on private land without approval of council or selectmen; regulations. **Mass.** 503, 14 Je
- 4568 Street railway companies may use highways laid out or adopted as county roads by county road commissioners; agreement to be filed with county clerk. Amending C.L.'97 §6446. **Mich.** 234, 6 Je
- 4569 Street and suburban railroads not using steam engines may use streets and highways of villages and townships by agreement with village boards and township highway commissioners; to obtain consent of two thirds of owners of adjoining property. Added to C.L.'97 ch.164 art.2. **Mich.** 238, 6 Je
- 4570 Town or city authorities may sell street railway franchise to highest bidder; proposed franchises to be advertised 90 days; proceeds for street improvements; company purchasing not to interfere with public convenience; to keep in repair track and portion of street 2 feet on both sides; limit of franchise 20 years. **Nev.** 63, 19 Mr
- 4571 Railroad commissioners may recommend to court change in route of proposed street railway. **N. H.** 46, 28 F
- 4572 Mayor and aldermen of cities and selectmen of towns have jurisdiction [formerly exclusive and final] over location of street railway tracks *subject to appeal to railroad commissioners*. Amending '95 ch.27 §6. **N. H.** 76, 20 Mr
- 4573 When franchise of plank road company has expired, board of chosen freeholders to acquire such road or bridge by purchase or condemnation. **N. J.** 135, 22 Mr
- 4574 Right of street railway to maintain and operate road not to be questioned after 2 years peaceable operation with consent of council in ordinance and without written objection of owners of one half abutting property. **N. J.** 141, 22 Mr
- 4575 With consent of local authorities and property owners street railroad may be extended on public viaduct for purpose of reaching station of another railroad half mile away. Amending '90 ch.565 §96. **N. Y.** 419, 18 Ap
- 4576 Whenever city has acquired property unnecessary for purposes of rapid transit, rapid transit board to sell with approval of board of estimate and apportionment; claims for damages for property taken to be filed within 6 months [formerly 3 years]. Amending '91 ch.4 §39, 55. **N. Y.** 587, 27 Ap
- 4577 County commissioners may grant permission to build tramroads on public highways. **Wash.** 91, 16 Mr
- 4578 Consent of common council required for operation of street railroads in highways. Amending S.'98 §1863. **Wis.** 425, 14 My
- 4579 Amending S.'98 §1863a relating to condemnation of land by street railroads; provisions relating to railroad crossings to apply to street or electric roads; condemnation not to be instituted till franchise granted. **Wis.** 465, 14 My



- 4580 Consolidation.** Street or electric railroad companies may lease and contract with similar companies in state or adjoining states. **Ind. 60, 5 Mr**
- 4581** Street or electric railways of state may consolidate with those of adjoining state when line will be continuous or connecting; regulations. **Mich. 143, 21 My**
- 4582 Miscellaneous powers. Regulations.** Repealing '98 ch.578 §23 allowing board of railroad commissioners to regulate street railway fares. **Mass. 180, 21 Mr**
- 4583** Street railway companies may carry newspapers and U. S. mail. **Mass. 254, 5 Ap**
- 4584** Street railway corporations may take land for power plants and shops. Amending '95 ch.27 §4. **N. H. 93, 22 Mr**
- 4585** Street railroads incorporated before July 1, 1895, and having secured franchise from city of 50,000 are exempt from law requiring completion within 10 years. Amending '90 ch.565 §5. **N. Y. 508, 23 Ap**
- 4586** Street car companies in cities over 50,000 not to charge over 5c for continuous fare from points on their lines. **Or. p.23, 20 F**
- 4587** On application of street railroad corporation mayor or justice of peace may commission private special policemen to act for and be paid by such company. **Pa. 246, 7 Je**
- 4588** Electric street railways in cities not over 15,000 may sell electricity. **Tenn. 166, 22 Ap**
- 4589** Prohibiting misconduct of passengers on street railways. **Wis. 165, 12 Ap**
- 4590** Street railroads wholly in city not required to report gross earnings to state treasurer. Amending S.'98 §1211. **Wis. 417, 14 My**

**Protection. Safety**

- 4591** Railroad companies to inclose car fronts for protection of motor-men; regulations; penalty. **Col. 103, 29 Ap**
- 4592** Street railway cars to be stopped before crossing drawbridge. **Ct. 127, 10 Je**
- 4593** 10 years imprisonment for obstructing street railway tracks or delaying passing of cars. Amending P.S.'82 ch.113 §37. **Mass. 452, 5 Je**
- 4594** Suburban and certain street railways to provide on each car ax, saw, tank with drinking water and water closet; not to apply to roads less than 20 miles between termini. **Mich. 178, 28 My**
- 4595** Street railway companies, when required by railroad commissioners, to equip cars with fenders within 6 months of notification; to take effect May 1, 1903. **N. H. 77, 20 Mr**
- 4596** City and street railway companies to use vestibule fronts on cars from middle of November to Ap. 1; fenders required; exemptions. **N. C. 743, 15 Mr**
- 4597** Street cars to be provided with vestibules from November through March; penalty \$100 for each car not so equipped. **Or. p.122, 25 F**
- 4598** Street cars operated Nov. 1 to Mar. 15 to be equipped with vestibule. **Tenn. 69, 22 Ap**

- 4599 Street cars to have vestibules from Nov. 1 to Ap. 1; penalty \$250.  
U. 52, 14 Mr
- 4600 Street cars to be provided with platform inclosures from Nov. 1  
to Ap. 1; in effect Jan. 1, 1902. W. Va. 8, 18 F
- 4601 Employees. Street car employees to have had 3 days instruction  
in management of cars except in case of strike; penalty.  
Wash. 103, 16 Mr

## Other forms of transportation

## Express

- 4602 Express companies to deliver within corporate limits of cities of  
2500 or more. Ind. 62, 6 Mr
- 4603 Prohibiting discrimination and combinations by express companies;  
foreign companies to file statement of capitalization  
and pay fee to secretary of state; penalty. Ind. 93, 7 Mr

## Telegraph and telephone

- 4604 Telegraph and electric companies may place wires under streets  
subject to written permission and rules of municipal officers.  
Me. 168, 6 Mr
- 4605 Misdemeanor for employee of telegraph, telephone or messenger  
company to divulge contents or refuse or neglect transmission  
or delivery of message or forge name of receiver; maximum  
fine \$100 [formerly \$500]. Amending C.L.'97 §11386.  
Mich. 187, 29 My
- 4606 Persons, copartnerships and associations to have same rights as  
corporations to maintain telephone lines. Minn. 231, 10 Ap
- 4607 Giving telephone and telegraph companies right to use public  
roads under municipal control. Amending G.S.'94 §2604.  
Minn. 360, 18 Ap
- 4608 Felony to destroy telephone wires. Amending R.S.'99 §1957.  
Mo. p.129, 1 Mr
- 4609 Circuit court to designate route for telegraph or telephone line  
through municipality in case municipal authorities fail to designate  
within 50 days. N. J. 337, 27 Ap 88. *Partly unconstitutional*. Improper delegation of power to courts. *State v. Mayor*  
of Boundbrook, 48 A. 1022.
- 4610 When it appears that unlawful business is being carried on by  
telegraph or telephone, corporation or employee to withhold dispatch  
from delivery; penalty for failure \$1000 or 2 years  
imprisonment or both. Amending Pen.C. §641.  
N. Y. 661, 3 My
- 4611 Misdemeanor to disconnect or injure telephone lines.  
N. C. 318, 28 F
- 4612 Telephone companies may buy stock of other companies and consolidate  
for purpose of forming continuous line; regulations.  
Pa. 272, 14 Je
- 4613 Misdemeanor for telegraph or telephone employees to divulge contents  
of message. Pa. 330, 10 Ji
- 4614 Telegraph companies to be liable for mental anguish caused by  
negligence in transmitting messages; jury to award damages.  
S. C. 434, 20 F

**Transportation. Communication**

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- 4615** User of steam threshing machine liable for damages to telegraph or telephone lines caused by moving machine on highway. Amending '90 ch.145. **S. D. 64, 8 Mr**
- 4616** Preventing unlawful use of telegraph and telephone lines and instruments and protecting them from injury. Amending '93 ch.164. **S. D. 197, 8 Mr**
- 4617** Companies may incorporate to conduct district messenger and telegraph patrol signal service. Amending '75 ch.142. **Tenn. 32, 16 Ap**
- 4618** Telegraph or telephone wires in highways may be placed under ground; aldermen of city or trustees of village may regulate placing of wires. Amending S. 94 §4224-27. **Vt. 65, 27 N 00**
- 4619** Misdemeanor for employee of telegraph or telephone company to divulge contents of or refuse to send or deliver message, or forge name to receipt. **Wis. 259, 2 My**
- 4620** Amending S.'98 §1778 relating to condemnation proceedings in construction of telegraph and telephone lines and liability of such corporations. **Wis. 319, 8 My**
- 4621** \$100 and 6 months imprisonment for injury to telegraph or telephone lines. Amending R.S.'99 §5014. **Wy. 9, 6 F**
- 4622** Telephone and telegraph companies may build lines on roads and streets and may condemn private property. Amending R.S.'99 §3084. **Wy. 31, 13 F**

**Navigation. Waterways**

- 4623** Improvement of waterways. Sanitary districts have right of eminent domain in improving navigable streams; may build bridges; ownership of bridges. **Ill. p.164, 13 My**
- 4624** County commissioners in counties of 150,000 to 210,000 may appropriate \$3000 annually for 5 [formerly 2] years for improvement of navigable lakes. Amending '99 ch.132. **Minn. 259, 11 Ap**
- 4625** Public nuisance to interfere with stream, creek or body of water dredged at public expense. Amending Pen.C. §385 subdlv.3. **N. Y. 367, 17 Ap**
- 4626** County courts may declare unnavigable streams highways for floating logs and timber; person or corporation may have exclusive right to improve any stream and control transportation of timber therein. **Or. p.266, 27 F**
- 4627** Pilotage. Misdemeanor for unauthorized persons to act as commissioners of pilotage; penalty \$500 [formerly \$100] or imprisonment not over 3 months or both. Amending '91 ch.38 §6. **Fla. 107, 1 My**
- 4628** Governor and senate to appoint commissioner of pilots annually at January session of assembly; term 3 years beginning Feb. 1. Amending G.L.'96 ch.117 §1. **R. I. 809 §27, 29 Ja**
- 4629** Pilot commissioners to notify prosecuting attorney for county where they reside of violations of law; fees forfeited go to common school fund. Amending Ballinger's Codes '97 §3242. **Wash. 19, 25 F**

- 4630 Harbors. Wharves.** Legislative body of city may rebuild dock. Amending '90 ch.47. N. J. 124, 22 Mr
- 4631** No *wharf* to be set up in tide waters without consent of owner of shore or flats. Amending R.S.'83, ch.3 §63. Me. 220, 19 Mr
- 4632** Harbor masters to enforce rules and regulations for harbors, anchorages and channels. Me. 259, 22 Mr
- 4633** \$10,000 annually for board of harbor and land commissioners to make surveys and improve harbors; may condemn land. Mass. 398, 16 My
- 4634** Municipalities receiving from riparian commissioners lands under water fronting park or square may contract with owner of fee of park or square to allow lands under water to be used for docking, loading or unloading vessels; conditions. Supplementing G.S.'95 p.2792. N. J. 28, 7 Mr
- 4635** Cities may *condemn* [formerly purchase] land for docks and approaches. Amending G.S.'95 p.678 ¶1058. N. J. 89, 21 Mr
- 4636** Cities under 12,000 owning wharves and docks may lease for 5 years; terms fixed by council. N. J. 192, 22 Mr
- 4637** Governor and senate to appoint member of board of harbor commissioners annually at January session of assembly; term 3 years beginning Feb. 1; board to report annually at *January* session of assembly [formerly adjourned session in Providence]. Amending G.L.'96 ch.118 §8, 16. R. I. 809 §29, 29 Ja
- 4638 Canals. Ferries.** Chief clerk of bureau of canal affairs to be secretary of commissioners of canal fund and canal board. Amending '94 ch.338. N. Y. 413, 17 Ap
- 4639** City, town and village authorities to grant ferry licenses within corporate limits and fix rates; moneys received to be turned over to general fund for use of city, town or village. Amending R.C.'99 §1168, 1173. N. D. 96, 11 Mr
- 4640** Companies owning canals may use water for manufacturing purposes. Pa. 167, 17 My
- 4641** Public steam ferries to operate from 6 a. m. to 9 p. m. daily at reasonable intervals; maximum rate 10c; penalties. S. C. 410, 20 F
- 4642** County courts may appropriate money for ferries and ferry roads, pay ferrymen and appoint commissioners. Tenn. 30, 3 Ap
- 4643** Granting to U. S. right to construct and maintain ship canal connecting lakes Union and Washington with Puget sound. Wash. 6, 8 F
- 4644** **Miscellaneous regulations.** Wreck masters to give bond for \$2000 [formerly \$10,000]. Amending R.C.'93 ch.62 §1. Del. 160, 2 Mr
- 4645** Owners of land through which nonnavigable stream passes may build bridge; to leave open space for floating products. Fla. 59, 30 My
- 4646** Repealing '93 ch.56 providing for appointment of shipping agents at ocean ports to superintend employment of seamen on ocean-going vessels and protect them in fixing terms of employment. Fla. 77, 31 My

- 4647 Regulating incorporation of navigation companies and providing for taxation. Ind. 110, 7 Mr
- 4648 Misdemeanor to destroy, injure or conceal boats, or use without consent of owner; penalty. Kan. 67, 5 Mr
- 4649 Bridges over Minnesota river below city of St Peter to be provided with draw. Amending G.S.'94 §1918. Minn. 243, 11 Ap
- 4650 Amending P.C. §2570 relating to public waters; streams of capacity to transport products are public ways; prior rights not affected. Mon. p.126, 22 Mr
- 4651 Amending '99 ch.79 §14 to provide for guard and sale of stranded property. N. C. 178, 18 F
- 4652 Floating logs in streams and using temporary booms is not obstructing navigation. Amending S.'98 §1598. Wis. 413, 14 My

## Public health and safety

### General supervision

(See also Domestic animals, 5292; Dairy products, 5429; Pollution of water, 3490; Sewerage, 3542)

### Health boards

- 4653 State boards. \$4000 [formerly \$3000] annually to state medical association acting as state board of health; *to be paid to state health officer* and expended under direction of association. Amending C.C.'96 §2442. Ala. p.249, 5 Mr
- 4654 Secretary of state board of health may receive \$2000 [formerly \$1900] and expenses. Amending G.S.'88 §3706. Ct. 98, 29 My
- 4655 State board of health of 7 members established; 4 appointed by governor; term 4 years; qualifications; attorney general and governor ex-officio members; secretary appointed by board or governor; powers, duties and compensation; county boards; rules and regulations. Mon. p.80, 15 Mr
- 4656 Abolishing state board of health and devolving duties on commissioner appointed by governor and senate; term 4 years; salary \$3500; regulations as to vital statistics, nuisances, local boards, public works and annual report. N. Y. 29, 19 F
- 4657 Amending '93 ch.214 as to terms of office, powers and duties of state board of health. N. C. 245, 23 F
- 4658 Governor and senate to appoint member of state board of health annually at January session of assembly; term to begin Feb. 1. Amending G.L.'96 ch.96 §1, 8. R. I. 809 §21, 29 Ja
- 4659 State board of health to supervise local boards; may remove: reports of local secretaries; local boards not to enforce compulsory vaccination. Amending R.C.'93 §969. S. C. 420, 20 F
- 4660 State board of health to fix salary of secretary; members of board to receive \$; [formerly \$5] a day; total biennial expense of board not to exceed \$7000 [formerly \$4000]; sewer and contagious disease regulations; fees of secretary. Amending S.'94 §4669, 4672, 4680, 4684, 4686. Vt. 91, 27 N 00
- 4661 Amending C.'99 ch.150 §1 relating to constitution and appointment of state board of health; minor specifications. W. Va. 56, 18 F

- 4662** Governor and senate to appoint state board of health of 3 persons; term 4 years; secretary to be physician; secretary's salary \$10 a day and expenses; board to appoint health officer in each county; powers and duties; physicians to report contagious diseases to secretary of state board. **Wy. 55, 16 F**
- 4663** **Laboratories.** State bacteriologist at request of attorney general to make examinations to determine causes of death; \$2500 [formerly \$1000] for salary and expenses. Amending '99 ch.240. **Del. 135, 25 F**
- 4664** State board of health may establish laboratory of hygiene, employ chemist, provide for bacteriological analyses, publish quarterly bulletin; \$2000 for equipment; \$5000 for expenses and supplies. **N. H. 23, 20 F**
- 4665** State board of health to equip hygienic laboratory for chemical and bacteriological investigation of food and contagious diseases; may provide school of instruction for health officers and issue periodical; to appoint director to examine specimens; salary \$3000; 2 assistants; \$2000 for apparatus and \$10,000 annually. **Vt. 90, 15 N 00**
- 4666** **Local boards.** Regulations of town health officer to be approved by state board of health; notice to be published in newspaper; regulations to be recorded in land records. Amending G.S.'88 §2593. **Ct. 125, 10 Je**
- 4667** Establishing town and county boards of health; powers. **Ill. p.91, 10 My**
- 4668** Unlawful to conduct maternity hospital or lying-in asylum without license from local board of health; inspection; fees and regulations; register; not to apply to incorporated hospital. **Mich. 106, 7 My**
- 4669** No person to conduct maternity hospital or baby farm without permit from health officer; institutions to be open to inspection; reports. **Minn. 106, 2 Ap**
- 4670** Fines collected by local boards of health to be paid into county treasury. **Minn. 230, 10 Ap**
- 4671** County commissioners to choose county boards of health; 1 to be physician, others county commissioners; board to have jurisdiction over unorganized towns. **Minn. 239, 11 Ap**
- 4672** County board of health to be composed of judges of county court and physician appointed by them; duties and compensation. Adding §7529a to R.S.'99. **Mo. p.180, 25 Ja**
- 4673** Clerk of local board of health to make out annual report of board on conditions of local public health and transmit to secretary of state board of health; fee \$2. Supplementing G.S.'95 p.1641 §37. **N. J. 79, 20 Mr**
- 4674** County commissioners to be board of health; justices of peace to be health officers for respective precincts; mayor and council to be board for incorporated cities and towns; powers; duties; physicians to report contagious diseases; penalty. Repealing C.L.'97 §3704-5, 3711. **N. M. 17, 8 Mr**

- 4675** Local boards of health, state and county officers and constables to assist in enforcing quarantine or other sanitary rules made by state board of health; local boards and physicians to report contagious diseases to state board; regulating prosecutions. Amending '91 ch.98. Wash. 116, 16 Mr

**Vital statistics.** (*See also* Marriage—record, 4)

- 4676** Midwife having charge of patient at death to report to county health officer within *5 days after expiration of calendar month* [formerly time prescribed by health board]. Amending C.'96 §5339. Ala. p.187, 4 Mr
- 4677** Physician last in attendance to make out certificate of death within 24 hours; this with undertaker's certificate to be left with registrar to obtain burial permit; blanks furnished by state board of health. Amending G.S.'88 §104. Ct. 134, 11 Je
- 4678** Births and deaths to be reported and recorded; burial permits and certificates required; physician or midwife to sign certificate; body buried without permit to be disinterred and inquest held; reports to county clerks and state board of health; blanks; fees; violation a misdemeanor. Ill. p.301, 11 My
- 4679** Clerk of cities of 30,000 to 100,000 to report births, marriages and deaths to secretary of commonwealth before Ap. 1; cities of 100,000, except Boston, before May 1. Amending '97 ch.444 §19. Mass. 167, 20 Mr
- 4680** Salary of chief of division of vital statistics in department of state \$1500. Mich. 207, 6 Je
- 4681** Registrar of deaths to make return to *secretary of state and transcript* to county clerk; secretary of state to certify to *county clerk* [formerly registrar] properly executed death certificates received; clerk to compare certified statement with transcript and deliver to registrar. Amending C.L.'97 §4618. Mich. 209, 6 Je
- 4682** When marriage certificate has not been filed as provided in G.S.'94 §4778 and person performing ceremony has died or removed from state his successor may make transcript of certificate which shall be accepted for filing. Minn. 174, 9 Ap
- 4683** Misdemeanor to bury without physician's or coroner's certificate of cause of death; physician or coroner to file copy of certificate with county clerk within 3 days; penalty. Amending Pen.C. §517. Mon. p.170, 9 Mr
- 4684** Clerks of supreme court to make return to registrar of statistics of divorces *since June 1, 1858, and hereafter* at close of term. Amending P.S. ch.175 §19. N. H. 22, 20 F
- 4685** Governor to have vital statistics in office of state board of health indexed. N. H. 127, 20 F
- 4686** Record of marriages, births and deaths kept by secretary of state or certified copy to be received in evidence in any court. Supplementing G.S.'95 p.2006. N. J. 13, 27 F

- 4687 Fees of registrars of vital statistics to be paid by local authorities on *certificate of superintendent of state bureau* [formerly on statement by registrar to local authorities]. Amending '00 ch.156. N. J. 180, 22 Mr
- 4688 Midwives to return notice of birth to register of deeds. Amending S.'98 §1024b. Wis. 83, 23 Mr

**Sanitation. Nuisances. Miscellaneous**

- 4689 **Dead bodies.** Persons in charge of final disposition of body to retain burial permit; burial and transit permits to accompany body when shipped; in sparsely settled townships permit may be filed in 10 days after death. Amending C.L.'97 §4615, 4620. Mich. 20, 18 Mr
- 4690 **Embalmers.** Only registered embalmer to practise [formerly in cities of 1500 or more]. Amending C.'96 §1711. Ala. p.179, 4 Mr
- 4691 Governor to appoint state board of embalmers of 5 persons, 4 practical embalmers and 1 physician; term 4 years; no salary; to examine and license embalmers; fee \$5; renewal not over \$1 annually; regulations; annual report. Ind. 246, 12 Mr
- 4692 State board of health may examine and license embalmers of bodies dead of infectious or contagious diseases; transportation. Mich. 233, 6 Je
- 4693 State board of health to appoint 3 of their members and 2 practical embalmers as state board of embalming; term 5 years; board to meet annually; to license embalmers; license fee \$5; annual fee \$2; embalming schools to have privileges of medical schools in use of dead bodies. N. C. 338, 4 Mr
- 4694 **Barbers.** Barbers to be licensed. Governor to appoint 3 examiners; term 3 years; 3 examinations yearly; qualifications of applicants; fees. Cal. 25, 20 F
- 4695 Barbers to be licensed; governor to appoint 3 examiners for 2 years; qualifications; bonds; organization; \$5 a day for actual service and 3c a mile for traveling expenses; annual report; public examinations 4 times a year in 4 cities; qualifications of candidates; \$5 fee; registration of barbers now practising. Ct. 132, 11 Je
- 4696 Revising '99 ch.212 providing for examining and licensing barbers and regulating barber shops; governor to appoint board of examiners; 3 members; term 3 years; salary of secretary \$800; registration fee \$3; renewal 50c annually. Mich. 235, 6 Je
- 4697 Persons conducting barber schools to hold certificate from barbers state board of examiners; board to inspect schools; 1 instructor for each 10 students; 3 year course; positions not to be promised. Minn. 214, 10 Ap
- 4698 Barbers in cities of 5000 [formerly 50,000] to obtain certificate of registration. Amending R.S.'99 §5034. Mo. p.50, 22 Mr
- 4699 Repealing '99 ch.53 establishing state barbers examining board to regulate practise of barbering. Neb. 48, 30 Mr



- 4700 Registration of barbers required; board of examiners appointed by governor to hold examinations, issue certificates of registration and make biennial reports; occupation defined; penalty. N. D. 30, 12 Mr
- 4701 Unlawful to practise barbering without certificate of registration; governor to appoint 3 practical barbers to constitute board of examiners; term 3 years; fees \$5 a day; to examine and license barbers; qualifications; examination fee \$5; penalties. Wash. 172, 18 Mr
- 4702 Plumbers. Board of health or mayor of cities of 15,000 to appoint board to examine and license plumbers and make rules and regulations for plumbing; membership of board; inspectors; regulations. Mich. 222, 6 Je
- 4703 Amending '97 ch.319 as to licensing of plumbers and employment of apprentices. Minn. 356, 13 Ap
- 4704 In cities over 50,000 mayor to appoint health officer and 3 plumbers board for examination of plumbers; to issue licenses for 1 year; fee \$1; duties of city plumbing inspector; compensation; penalties. Neb. 21, 29 Mr
- 4705 Plumbers to have licenses in cities and towns adopting act [formerly all cities]; cities and towns may [formerly shall] establish rules and create examining boards. Amending '99 ch.55. N. H. 99, 22 Mr
- 4706 Providing for examination, license and registration of plumbers in cities of 100,000 to 600,000; director of public safety to appoint board of examiners consisting of health officer, plumbing inspector and 2 plumbers; fees \$5 a day; minute regulations concerning all plumbing. Pa. 245, 7 Je
- 4707 Plumbers to be examined and licensed; in cities of 20,000 board of health to appoint 3 plumbers to be, with president of board and plumbing inspector, board of examiners; term 1 year; no salary; board of health to appoint inspector of plumbing; duties; penalties. Wash. 61, 6 Mr
- 4708 Hotels. Lodging houses. State board of health to have supervision in cities of 100,000 of all lodging houses, *boarding houses*, *taverns*, *inns* and *hotels*; inspection required; size of sleeping rooms and arrangement of beds regulated; register accessible to inspector; annual sworn statement; misdemeanor to interfere with inspector or violate requirements. Amending R.S.'99 ch.126a §15-18. Ill. p.304, 10 My
- 4709 Not over 6 persons to occupy sleeping-room containing under 400 cubic feet of space a person. Ill. p.355, 21 Ap 99. *Unconstitutional*. Discriminates against lodging house keepers and deprives of property without due process of law. *Bailey v. People*, 60 N. E. 98.
- 4710 Nuisances—miscellaneous. Slaughterhouses prohibited within  $\frac{1}{2}$  mile of state charitable and reformatory institutions; penalty. Kan. 352, 1 Mr

- 4711** Person engaged in killing and rendering horses or other animals to have annual license from local board of health; board to approve rendering plant; licensees to report to board of cattle commissioners animals having contagious diseases.  
Mass. 134, 12 Mr
- 4712** State board of health may investigate complaints of contamination of tidal waters by sewerage or other causes and forbid taking shellfish therein; 1 week's newspaper notice required.  
Mass. 138, 12 Mr
- 4713** Emission of smoke within  $\frac{1}{4}$  mile of dwelling a nuisance; mayor or selectmen may appoint officer to enforce law; annual permits may be given; notice of application required; act to be accepted by localities.  
Mass. 427, 23 My
- 4714** Misdemeanor to maintain slaughterhouse in or within 1 mile of city or park or within 30 rods of highway or street car line without adequate water supply, sewerage and drainage; offal not to become nuisance.  
Mich. 97, 1 My
- 4715** Emission of dense smoke into open air in cities of 100,000 a public nuisance; accumulative penalties; cities may enforce by ordinance.  
Mo. p.73, 21 Mr
- 4716** County commissioners to take immediate action in case of nuisance; district attorney to notify and enforce.  
Nev. 29, 2 Mr
- 4717** Sawmills and similar establishments constructed and put in operation hereafter, not to permit escape of waste products to lake, pond or stream; exception.  
N. H. 72, 20 Mr
- 4718** Villages may acquire by condemnation public dumping grounds. Amending '97 ch.414 §88.  
N. Y. 50, 27 F
- 4719** Repealing '89 ch.50 fixing price of permit to clean vaults and cesspools at 50c.  
Pa. 261, 10 Je
- 4720** Granting courts discretionary power in abatement of nuisances. Amending C.'96 §5158.  
Tenn. 139, 17 Ap
- 4721** County courts and justices of peace to have concurrent jurisdiction of offense of putting dead animals in lakes or streams or leaving near dwelling or highway.  
Vt. 93, 21 N 00
- 4722** Misdemeanor to expectorate on church floors or aisles.  
Va. 333, 16 F

### Contagious diseases

(See also Domestic animals—contagious diseases, 5292)

- 4723** General regulations. \$100,000 to be used under direction of governor to prevent introduction of cholera, smallpox and other contagious diseases.  
Cal. 20, 19 F
- 4724** Local boards of health to report cases of contagious or infectious disease to state board of health; both boards to take necessary measures to prevent spread. Adding §2979a to P.C.  
Cal. 85, 6 Mr
- 4725** Body of person dying of pestilential disease to be disinfected and sealed in airtight coffin. Amending G.S.'88 §104.  
Ct. 134, 11 Je

- 4726 Increasing powers and duties of state board of health as to contagious diseases; 300 copies of report to be printed. Amending '93 ch.642 §4. Del. 98, 25 F
- 4727 Physicians and householders to report contagious diseases to board of health or health officer; duties of health officers; quarantine. Kan. 285, 13 F
- 4728 \$2000 annually for state board of health for leaflets on contagious diseases. Mich. 140, 17 My
- 4729 \$25,000 to reimburse cities, towns, boroughs and villages for expenses in care of persons infected with contagious disease. Minn. 235, 11 Ap
- 4730 Boards of health to make statement to county auditor of expenses incurred in prevention of contagious diseases; if disallowed may appeal to district court. Amending '83 ch.132 §29. Minn. 238, 11 Ap
- 4731 County boards may enforce regulations to prevent spread of contagious diseases in unincorporated county territory. Neb. 49, 19 Mr
- 4732 Physicians to report pestilential disease to health officers or, *in their absence*, to selectmen of town; penalty for neglect \$100 fine or *not over 90 days imprisonment or both*. Amending P.S.'01 ch.110 §3. N. H. 13, 20 F
- 4733 Overseers of poor *may* [formerly shall] send persons bitten by rabid animals to Pasteur institute; expense. Amending '95 ch.770. N. Y. 482, 22 Ap
- 4734 \$1000 to state board of health for investigation of causes and prevention of diphtheria. R. I. p.273, 28 Mr
- 4735 Regulating use of milk tickets by retail dealers. Vt. 66, 27 N 00
- 4736 \$50,000 for contingent fund for state board of health to use in emergency for prevention of cholera and other contagious diseases. Wis. 200, 23 Ap
- 4737 Amending S.'98 §4608a relating to transportation of bodies dead of contagious disease; state board of health to make rules; conditions; tuberculosis included among communicable diseases. Wis. 401, 14 My
- 4738 Hospitals. Cities to establish isolation hospitals for smallpox and other contagious disease patients; penalty \$500. Mass. 171, 21 Mr
- 4739 Quarantine. General quarantine law; placarding; reports to state board of health. N. H. 16, 20 F
- 4740 Quarantine officers of ports to disinfect vessels and forward fees to state health officer. Tex. 101, 17 Ap
- 4741 Misdemeanor to violate quarantine regulations or bring vessel to land from infected port without bill of health or *with false bill*; physicians to report contagious disease; penalties. Amending P.C.'95 §472 and adding §478a-d. Tex. 131, 23 Ap
- 4742 Quarantine flag to be displayed for 21 days after scarlet fever or *smallpox* is first reported. Amending '99 ch.45 §14-15. U. 122, 23 Mr
- 4743 Physicians may quarantine infectious or contagious diseases. Vt. 92, 21 N 00

- 4744 Misdemeanor for person to leave quarantined house without permission of health officer. Wash. 48, 6 Mr
- 4745 Vaccination. Children to be vaccinated before attending public, *parochial or private* school. Amending P.S.'01 ch.93 §2. N. H. 19, 20 F
- 4746 Vaccination not to be required of school pupils or teachers. U. 18, 2 Mr
- 4747 Overseer of district may furnish antitoxin to persons unable to pay for it. Amending C.'99 ch.46 §9. W. Va. 77, 20 F
- 4748 Tuberculosis. Governor to appoint commission of 3 to investigate advisability of establishing state sanitarium for consumptives. Minn. 300, 13 Ap
- 4749 Governor to appoint committee of 3 to 5 members, 1 a member of state board of health, to report on establishment of state sanitarium for consumptives. N. H. 120, 13 F
- 4750 Persons afflicted with tuberculosis not to be employed as teachers; certificate of good health required; fee; penalty. N. M. 43, 18 Mr
- 4751 \$100,000 for buildings and equipment of pulmonary tuberculosis hospital; state architect to prepare plans and supervise construction; site to be selected by governor, president pro tempore of senate and speaker of assembly. N. Y. 691, 3 My
- 4752 \$1000 to state board of health for investigation of causes and prevention of tuberculosis in man. B. I. p.270, 29 Mr

### Practice of medicine and surgery

(See also Medical schools, 593; Veterinary practice, 5336)

#### Medicine

- 4753 General and miscellaneous. Revision of law regulating practice of medicine. Board of medical examiners of 9 members; elected by medical societies of state, 5 by medical, 2 each by homeopathic and eclectic societies; examinations; fees; regulations. Cal. 51, 27 F
- 4754 Person ignorant of English applying for midwife certificate shall on request be examined through interpreter. Amending '98 ch.158. Ct. 84, 29 My
- 4755 3 examinations yearly for applicants to practice medicine, surgery or midwifery; fee \$15, for midwife \$10; failure renders ineligible for 12 months; applicant must have diploma from legally incorporated medical college; cancelation of certificate for malpractice or felony. Amending '98 ch.158 §8 and '97 ch.187 §1. Ct. 135, 11 Je
- 4756 Board of eclectic medical examiners may meet in any city of state. Amending '99 ch.37 §3. Fla. 124, 28 My
- 4757 Misdemeanor to practise medicine in name of another physician; penalty. Ill. p.237, 11 My
- 4758 Compensation of state board of medical examiners \$6 [formerly \$10] a day and expenses; secretary \$250 a year; secretary may employ clerk at \$500 [formerly \$1000]; treasurer and secretary to give bond of \$5000 [formerly \$10,000]. Amending '97 ch.159; '99 ch.145. Ind. 211, 11 Mr

- 4759 Governor to appoint board of medical registration and examination; term 4 years; organization; records; qualifications for practice of medicine, surgery and osteopathy; examination; certificates; fees; practicing defined. **Kan. 254, 1 Mr**
- 4760 Applicants for registration as physicians and surgeons to be medical college graduates; reciprocal provisions as to other states; exemptions. Amending '95 ch.170 §8, 10. **Me. 275, 22 Mr**
- 4761 Regulating admission of physicians to practice; subjects for examination; exemptions. Amending '94 ch.458 §9-11. **Mass. 467, 6 Je**
- 4762 Revision of law regulating practice of medicine; practitioner to be licensed; examination before state board of health, fee \$15; license to be recorded with county clerk, fee \$1; may be revoked; midwife examination fee \$5; regulations. **Mo. p.207, 12 Mr**
- 4763 Governor to appoint board of health to license physicians; 7 members, 4 regular, 2 homeopathic, 1 eclectic physician; term 2 years; graduates of approved medical colleges licensed without examination; certificate to be recorded by probate clerk of county of practice; itinerant vendors of drugs to pay license of \$100 a month; regulations; penalties. **N. M. 18, 8 Mr**
- 4764 Regents may admit conditionally to examination in anatomy, physiology and hygiene applicants certified as having studied medicine 2 years in registered medical school. Amending '93 ch.601 §145. **N. Y. 646, 3 My**
- 4765 Amending R.C.'99 §278 requiring license of physicians, surgeons and obstetricians to be recorded [formerly, filed] by register of deeds. **N. D. 142, 12 Mr**
- 4766 Governor and senate to appoint county medical examiners at January session of assembly; term 6 years beginning Feb. 1. Amending §1 of G.L.'96 ch.287 and repealing §4. **R. I. 809 §45, 29 Ja**
- 4767 Amending R.S.'93 §970 ¶7 as to exemptions of physicians from examination by medical examiners. **S. C. 419, 15 F**
- 4768 State board of health to examine and license physicians to practise medicine and surgery; medical college graduates who have attended 4 [formerly 3] 6 month courses in different years, to be licensed on payment of fee of \$10 [formerly \$5]; 4 course requirement not applicable to graduates prior to 1896. Amending '93 ch.133 §5. **S. D. 180, 9 Mr**
- 4769 Governor to appoint 1 homeopathic, 1 eclectic and 4 regular school physicians as state board of medical examiners; term 4 years; 6 years' experience required; examinations; powers; regulations. Amending '89 ch.178. **Tenn. 78, 22 Ap**
- 4770 Regulating practice of medicine; governor to appoint from lists recommended by state medical associations 3 boards of medical examiners, regular, eclectic and homeopathic; 9 members; term 2 years; general regulations; exemptions. Repealing R.S.'95 §3777-89. **Tex. 12, 22 F**

- 4771 Legally qualified medical practitioners residing on border of contiguous states may practise in Vermont providing they do not open office or appoint place to meet patients in state. Amending S.'94 §4632. Vt. 88, 23 N 00
- 4772 Board of censors to license physicians and surgeons on diploma and examination [formerly on diploma or certificate of examination]; fee \$5. Amending S.'94 §4633. Vt. 89, 27 N 00
- 4773 Graduates of medical college candidates for license may take 2d examination within 6 months; to be credited with subjects passed. Amending '00 ch.1148. Va. 246, 16 F
- 4774 Applicant for license to practise medicine to be 21 years old, of good moral character and medical college graduate; licensed physicians from other states which recognize licenses from Washington may be licensed without examination; penalties. Wash. 42, 28 F
- 4775 Persons desiring to practise medicine to present diploma from reputable medical college requiring 4 [formerly 3] 6 month courses before graduation; no 2 courses to be taken within 1 year, and after 1901 [formerly 1904] requiring education necessary to enter junior class of high school including 1 year of Latin for entrance and 4 7 [formerly 6] month courses, no 2 to be taken within 1 year; adding osteopathic physician to board of medical examiners; license of osteopaths; compensation of board. Wis. 306, 6 My
- 4776 Osteopathy. Creating state board of osteopathic examiners and regulating practice of osteopathy; osteopathy is not medicine and surgery. Cal. 99, 9 Mr
- 4777 Governor to appoint state board of 3 osteopathic physicians; term 2 years; qualifications; licenses to practise osteopathy; examination fee \$25; osteopath not to use drugs or perform surgical operations. Ct. 167, 17 Je
- 4778 Osteopaths may be licensed to practise. Ind. 211, 11 Mr
- 4779 Governor to appoint state board of 3 osteopathic examiners empowered to license osteopaths; examinations; osteopaths not to use drugs or perform surgical operations; practising without license a misdemeanor; osteopathy is not practice of medicine within meaning of law. Mon. p.48, 26 F
- 4780 State board of health to grant certificates for practice of osteopathy to bona fide holders of diplomas from schools of osteopathy; subjects required; time of preparation 20 months; not to use drugs or surgery; regulations. Neb. 46, 1 Ap
- 4781 Optometry. Governor to appoint 5 opticians to constitute state board of examiners in optometry; term 3 years; compensation \$5 a day and mileage; to examine and license opticians; fee \$2 annually; regulations. Minn. 269, 13 Ap

**Dentistry**

- 4782 Repealing provision that state board of dental examiners shall prescribe course of reading for students of dentistry under private instruction; fee for examining applicants for license \$10 [formerly \$5]. Amending C.'96 §1446. Ala. p.180, 4 Mr

- 4783 Governor to appoint board of 5 dental examiners; term 2 years; organization; certificates to be issued on examination; fees; penalty. Ark. 157, 23 My
- 4784 Regulating practice of dentistry. Governor to appoint board of examiners of 7 dentists of 5 years experience; term 4 years; fees \$10 a day; examinations; requirements of applicants; notice of intention of apprenticeship to be filed with board; definitions; regulations. Repealing '85 ch.127. Cal. 175, 23 Mr
- 4785 *District courts* [formerly justices] to hear cases involving violation of dentistry act. Amending '89 ch.19 §11. Minn. 153, 6 Ap
- 4786 Candidates for examination in dentistry to have practised or studied under supervision 5 [formerly 3] years, or be graduate of reputable dental college; examination fee \$25 [formerly \$15]; no fee for 2d examination; temporary certificates. Amending P.C. §622-29. Mon. p.112, 25 F
- 4787 Dentist licensed after examination in another state may be licensed without examination in New Jersey [formerly must prove 5 years practice]; fee \$25 [formerly \$50]; state board of examiners to report to New Jersey state dental society; use of signs, circulars or titles by dentists may be shown in civil actions. Amending '98 ch.74. N. J. 193, 22 Mr
- 4788 Amending '93 ch.661 art.9 as to practice of dentistry. N. Y. 215, 28 Mr
- 4789 Governor and senate to appoint 1 or 2 members of board of registration in dentistry annually at January session of assembly; term 3 years beginning Feb. 1. Amending G.L.'96 ch.155 §1. R. I. 809 §35, 29 Ja
- 4790 State board of dental examiners to consist of 5 members appointed by governor; term 5 years; to make rules; to examine and grant licenses; license and registration required for practice; regulations; annual report. S. D. 111, 7 Mr
- 4791 Amending '98 ch.55 relating to practice of dentistry; requiring practitioner to file name and secure certificate from state board; certificate shall be posted. Wash. 152, 18 Mr
- Pharmacy. Sale of drugs.** (See also Local option, 59)
- 4792 Regulating practice. Revision of law regulating practice of pharmacy. Governor to appoint board of 7 practising pharmacists; term 4 years; board to examine and license pharmacists; fees; regulations for sale of poisons; pharmacists exempt from jury duty. Cal. 141, 15 Mr
- 4793 Governor and senate to appoint 5 members to constitute state board of pharmacy; term 5 years; board to examine and license pharmacists; domestic and proprietary medicines to be sold only by registered pharmacists and dealers in villages permitted by board at their discretion. Ill. 245, 27 Je 95. *Partly unconstitutional.* Class legislation; takes property without due process of law by placing sale of domestic and proprietary medicines under control of board. Noel v. People, 58 N. E. 616.

- 4794** Regulating practice of pharmacy. Governor to appoint 5 pharmacists of 10 years' experience for terms of 5 years who constitute state board of pharmacy; board to choose; secretary at \$2500; to conduct examinations; issue certificates and enforce law against adulteration of drugs. Ill. p.238, 11 My
- 4795** Board of pharmacy may suspend but not revoke certificate of registered pharmacist; in matter of charges against pharmacist before board, defendant and counsel to have access to documents as in criminal cases. Amending '96 ch.397. Mass. 522, 19 Je
- 4796** Pharmacist's license *not* to be issued to physician on presentation of diploma. Amending R.S.'99 §3037. Mo. p.143, 19 Mr
- 4797** Creating state board of pharmacy, of 5 members, appointed by governor; to license pharmacists; regulating practice of pharmacy and sale of poisons; misdemeanor to use deteriorated or adulterated drugs. Nev. 111, 28 Mr
- 4798** Revision of pharmacy law; governor to appoint state board of 5 members for 5 years; 1 annually from list of 3 names of registered pharmacists recommended by pharmaceutical association; examinations; registration of pharmacists; sale of poisons; inspectors to detect violations of law. N. J. 51, 19 Mr
- 4799** Regulating sale of poisons; state board of pharmacy may license person experienced in compounding drugs to sell medicines and poisons in places outside incorporated cities and villages and in villages under 1000. Amending '98 ch.661. N. Y. 648, 3 My
- 4800** Applicants for examination as registered pharmacist to pay fee of \$15; assistants \$8; no other fees or renewals required. Pa. 70, 24 Ap
- 4801** Governor and senate to appoint state board of pharmacy of 7 registered pharmacists triennially at January session of legislature, beginning 1903; term to begin Feb. 1. Amending G.L.'96 ch.152 §3. R. I. 809 §34, 29 Ja
- 4802** Certificates of registration in pharmacy to be granted on condition that person will not permit violation of laws regulating intemperance and sale of liquors; penalty; registration board to investigate complaints against persons licensed to sell medicines and poisons. Amending G.L.'96 ch.152. R. I. 866, 29 Mr
- 4803** Unlawful to deal in cocaine or compound except on physician's prescription or to trade, physicians, or dentists. Tenn. 5, 7 F
- 4804** Misdemeanor for druggist to make substitution in physician's prescription. Tenn. 27, 3 Ap
- 4805** Providing for registration of experienced pharmacists who have neglected to register. Va. 310, 16 F
- 4806** Certificates of registration to be issued to pharmacists of 10 years experience prior to 1882 in villages over 500. Amending S.'98 §1409. Wis. 340, 8 My
- 4807** Sale of drugs. No opium, morphine or cocaine shall be delivered to person addicted to use except on prescription of physician; penalty \$50. Ind. 123, 9 Mr



- 4808 Misdemeanor to sell, trade or give morphine, cocaine or chloral except on prescription of physician. **Kan. 175, 22 R**
- 4809 Commission of pharmacy to enforce laws relating to sale of drugs and medicines. **N. H. 47, 7 Mr**

**Food. Drugs. Adulteration**

(See also Dairy products, 5429)

- 4810 **General.** \$100 penalty for having in possession with intent to use in food products formaldehyde, antiseptic or arsenic. **Ind. 194, 11 Mr**
- 4811 Forbidding sale of food containing antiseptic or preservative substances; exceptions. **Mass. 341, 1 My**
- 4812 Regulating labels for articles of food and drink; size of letters showing ingredients; must contain manufacturer's name; regulations; board of health to enforce. **Mass. 396, 16 My**
- 4813 Salary of dairy and food commissioner \$2000 [formerly \$1200]; deputy commissioner \$1500 [formerly \$1000]; clerks not over \$720 [formerly \$60 a month]; chemist \$1500 [formerly not over \$1200]; assistant chemist [formerly not over] \$1000. Amending C.L.'97 §4976-77. **Mich. 186, 29 My**
- 4814 Amending G.S.'94 §6625 relating to adulterations of foods and medicines. **Minn. 117, 2 Ap**
- 4815 Prohibiting use of chemical agents as preservatives of food products. Amending '99 ch.257 §1. **Minn. 348, 13 Ap**
- 4816 Meat and milk inspector in cities of 5000; qualifications and duties; bond; regulating sale of meat, milk and animals intended for slaughter; penalties. **Mon. p.66, 14 Mr**
- 4817 Consolidation of pure food and drug laws under supervision of board of health; board to appoint and fix compensation of chief inspector and other officers to serve during its pleasure; office of dairy commissioner abolished; \$15,000 annually for execution of law. **N. J. 85, 21 Mr**
- 4818 Increasing penalties for violation of provisions of agricultural law relating to food adulterations. Amending '93 ch.338. **N. Y. 656, 3 My**
- 4819 Adulteration and misbranding of foods and beverages prohibited; adulteration defined; penalty \$25 to \$100. **N. D. 4, 8 Mr**
- 4820 Revision of pure food law; dairy and food commissioner to be elected by people; term 4 years; salary \$1800 and \$1200 for expenses; commissioner may appoint deputy at \$900; duties to visit creameries, cheese factories and dairy herds and prosecute for violations of law; definition of adulterations; minute regulations. **Or. p.256, 27 F**
- 4821 Creating office of food and dairy commissioner; term 2 years; salary \$1200; regulations for creameries, sale of milk, oleomargarin, cheese, adulterated foods; \$2500. **S. D. 131, 6 Mr**
- 4822 Dairy and food commissioner to visit cheese and butter factories and enforce proper sanitary regulations; may [formerly shall] prosecute persons keeping infected cattle or feeding unwholesome food. Amending R.S. '98 §2447. **U. 71, 14 Mr**

- 4823** Revision of pure food law; state dairy commissioner to be food and dairy commissioner; \$600 additional salary; duties to prevent sale of adulterated foods; may appoint deputies. Repealing '99 ch.113. **Wash.** 94, 16 Mr
- 4824** Candy. Unlawful to manufacture or sell candies adulterated by poisonous ingredients; penalty; court to order destruction. **Ark.** 113, 20 Ap
- 4825** Making imprisonment penalty for sale of adulterated candy. Amending '95 ch.204 §1-2. **Minn.** 118, 2 Ap
- 4826** Liquor. Amending G.S.'94 §7022 as to adulteration of spirituous liquors. **Minn.** 115, 2 Ap
- 4827** Beer inspection fees *one half* [formerly 1] cent per gallon and 10 [formerly 2] for labeling package. Amending R.S.'99 §7691. **Mo.** p.182, 16 Ap
- 4828** Misdemeanor to adulterate natural fruit juice; dairy and food commissioner to enforce. **Pa.** 89, 2 My
- 4829** Forbidding adulteration and sale of adulterated liquors; penalty; food commissioner to enforce act. **S. D.** 142, 8 Mr
- 4830** Governor and senate to appoint state assayer of liquors annually at January session of assembly; term to begin Feb. 1. Amending G.L.'96 ch.151 §1. **R. I.** 809 §33, 29 Ja
- 4831** Vinegar. Providing imprisonment for adulteration of vinegar or lard; salary of chemists of dairy and food commission not over \$1500 [formerly \$2000]. **Minn.** 330, 13 Ap
- 4832** Cider vinegar made by farmer in state is not adulterated if it contains 2% solid matter and alcohol necessary to develop acetic acid. Amending '93 ch.338 §50. **N. Y.** 308, 10 Ap
- 4833** Repealing provision that fruit vinegar shall contain 4% of acidity and 1½% by weight of cider vinegar solids. Amending '97 ch.140. **Pa.** 183, 21 My
- 4834** Bakeries. Regulation and inspection of bake shops; sanitary conditions; no person with tuberculosis, scrofulous, or communicable skin disease to be employed. Amending '97 ch.174. **Ct.** 83, 29 My
- 4835** Providing for sanitation of food-producing establishments; floor and side walls to be cleaned; no one to sleep in bakeroom; consumptives or diseased persons not to be employed; screens to be provided; minute regulations. **Ind.** 35, 28 F
- 4836** Regulating manufacture of flour and meal products; minors and women not to be employed in bakeries more than 12 hours daily or 60 hours a week; bakery not to be in cellar; minute regulations as to ventilation, plumbing, washrooms, sleeping rooms; consumptives and other diseased persons not to be employed; factory inspector to execute law. **Pa.** 37, 4 Ap
- 4837** Meat. Misdemeanor to sell or ship out of state diseased flesh or flesh of calf less than 4 weeks old. **Ct.** 154, 17 Je
- 4838** Misdemeanor to either bake, fry, pack or can fish for sardines without first heading and eviscerating. Amending '97 ch.279. **Me.** 240, 21 Mr

- 4839 Requiring inspection and branding of carcasses of food animals except in establishments under federal inspection; regulations; penalty. **Mass.** 391, 16 My
- 4840 Unlawful to sell meat of equine animal without informing purchaser; pedlers selling such meat to exhibit animal's hide at request. **Nev.** 17, 26 F
- 4841 Misdemeanor to manufacture or sell meat or sausage containing artificial coloring or chemical preservative matter. **Wis.** 243, 27 Ap
- 4842 Miscellaneous. Misdemeanor to sell adulterated black pepper; fixing standard. **Mich.** 180, 28 My
- 4843 Maple sugar if not pure to have label giving list of ingredients; regulations; penalty. **Minn.** 329, 13 Ap
- 4844 Providing imprisonment for adulteration of honey. Amending '98 ch.21. **Minn.** 333, 13 Ap
- 4845 Baking powder labels to be in English language and use common trade names of ingredients. Amending '99 ch.245 §2. **Minn.** 336, 13 Ap
- 4846 Prohibiting adulteration of fruit jams or preserves; state dairy and food commissioner to enforce. **Minn.** 337, 13 Ap
- 4847 Misdemeanor to deposit deleterious drugs on doorsteps or premises of another or to deliver to child under 15. Adding §4601d to S.'98. **Wis.** 335, 8 My

### Public safety

#### Explosive substances

- 4848 Lamp must be kept 5 feet from open powder in charging hole for blasting; tamping bar shall be tipped with copper; penalty \$50 or 6 months imprisonment. **Ind.** 236, 11 Mr
- 4849 Councils of cities of 600,000 may regulate manufacture, storage, sale and use of explosives and inflammable substances. **Pa.** 222, 4 Je
- 4850 Misdemeanor to manufacture or sell firecrackers containing dynamite. **Pa.** 283, 19 Je
- 4851 Misdemeanor to use, make, sell or give away air guns or cannon firecrackers. **S. D.** 7, 21 F
- 4852 Firearms and cannon crackers not to be discharged in public squares or streets or within 100 yards of business house; defining cannon cracker. Amending Pen.C. '95 §336. **Tex.** 128, 29 Ap
- 4853 Misdemeanor to deliver for transportation or storage dangerous acids or explosives without plainly marking. **U.** 77, 14 Mr
- 4854 Illuminating oils. Gases. Providing for inspection of oil; minimum flash test 120°F; governor to appoint inspector; term 4 years; salary \$2500; inspector to appoint 1 deputy for each congressional district; regulations. **Ind.** 226, 11 Mr
- 4855 Salary of oil inspector \$2400; monthly statement of fees received; deputies' salary not over \$1200 based on fees received; regulations. Amending '93 ch.20. **Minn.** 123, 2 Ap
- 4856 Territorial oil inspector to be appointed by governor; bond; duties; fees; standard fire test 130°; penalties. Repealing C.L. '97 §2640-46 and '99 ch.12. **N. M.** 64, 20 Mr

- 4857 Governor to appoint state inspector of oils; inspector to appoint deputies; methods of inspection; flash test 120°F; records; fees; penalty. N. D. 128, 13 Mr
- 4858 Amending S.'98 §1421c-e, g-h and j relating to inspection of petroleum products; supervisor to devote entire time to overseeing work of deputy oil inspectors; *supervisor's salary \$1500, deputies' not over \$1000* [formerly fees]; salaries fixed by governor; expenses allowed; rules for inspection and sale of oils and gasoline. Wis. 466, 15 My
- 4859 Fixing fire test for oil at 150° [formerly 175°] F. Amending R.S.'99 §1203. Wy. 74, 18 F

**Boilers. Engines**

- 4860 Amending R.S.'83 ch.17 §17 by requiring license for *gasoline* engine. Me. 210, 19 Mr
- 4861 Repealing P.S.'82 ch.11 §92 providing that assessors shall report number of steam boilers and accidents to tax commissioner. Mass. 200, 26 Mr
- 4862 Boiler inspection. Engineers. Cities over 5000 may compel stationary steam engineers to take out license; may appoint inspector of boilers and examiner of engineers or combine the offices; misdemeanor to employ or accept employment as engineer without license or to refuse to permit inspector to inspect boiler. Fla. 185, 30 My
- 4863 Licensed steam boiler engineers exempt from jury duty. Amending C.C.P. §1127. N. Y. 241, 2 Ap

**Buildings. Fire protection.** (See also Fire department, 3394; Factory inspection, 1046)

- 4864 Architects. Regulating practice of architecture; governor to appoint 10 persons to compose state board to examine and license architects; term 2 years; must be members of American institute of architects; fees; foreign architects must satisfy board of competency and pay fee; misdemeanor to practise architecture without certificate. Cal. 212, 23 Mr
- 4865 Buildings. Inspection. Building contracts void unless containing detail drawings on scale of 1½ inches to foot; contractor not to have discretion to determine what materials to be furnished. Adding §1183½ to C.C.P. Cal. 272, 28 Mr
- 4866 Colored or corrugated glass in factory windows to be removed on order of inspector. Ct. 97, 29 My
- 4867 Elevators to be provided with safety devices to prevent persons from being caught between floors of elevator and building; door of elevator well to be within 2 inches of inside face; devices to be approved by inspector of buildings. Amending '94 ch.481 §42. Mass. 439, 28 My
- 4868 Elevator men in cities over 50,000 to be licensed by building inspector or city engineer; qualifications. Minn. 195, 10 Ap
- 4869 Commissioner of health may investigate enforcement of laws relating to tenement houses; to examine and report when required by governor. Amending '93 ch.661. N. Y. 283, 5 Ap

**Public health and safety**

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- 4870 Tenement house act; minute regulations concerning tenement houses in cities of 250,000. 34p. N. Y. 334, 12 Ap
- 4871 Exempting houses in process of construction, from tenement house act, '01 ch.334. N. Y. 555, 25 Ap
- 4872 Supplementing '99 ch.123 as to passage ways, open courts and exits of buildings. Pa. 241, 3 Je
- 4873 Requiring use of safe scaffolding, hoists, stays, ladders and other safety appliances in building; factory inspector to enforce law; penalty. Wis. 257, 2 My
- 4874 Doors of public buildings to swing outwardly; storm doors to contain glass 15 inches square 4 feet from floor. Amending S.'98 §4390. Wis. 380, 13 My
- 4875 Fire protection. Escapes. Fire escapes for buildings where people congregate; stairs required; number to building; penalty. Mo. p.219, 27 Mr
- 4876 Municipalities governed by board of trustees may regulate building within fire limits. Amending '00 ch.119. N. J. 102, 21 Mr
- 4877 Municipalities may regulate construction of buildings and fire escapes thereon, establish fire limits and require removal of objectionable buildings. Repealing C.L.'97 §2402 ¶31-32. N. M. 71, 20 Mr
- 4878 Rope to be used as fire escape to be kept in bedrooms of lodging houses; exceptions. Wis. 173, 13 Ap
- 4879 Requiring fire escapes on buildings; elevator shafts to be fire-proof; night watchman to be on duty in buildings of 100 rooms; labor commissioner, factory inspector, chief or marshal of fire department to enforce law; penalty. Wis. 349, 13 My

**Miscellaneous**

- 4880 Misdemeanor to leave uncovered shaft or opening on uninclosed land. Ark. 167, 23 My
- 4881 Misdemeanor to remove danger signal in public or private way. Ct. 28, 11 Ap
- 4882 Owner of land where waste from phosphate mine or factory has been deposited to keep it fenced till danger to stock has ceased. Amending '99 ch.94. Fla. 97, 31 My
- 4883 Forbidding manufacture or sale of cloth or paper containing arsenic; penalties; exceptions. Amending '00 ch.325. Mass. 188, 26 Mr
- 4884 Prohibiting sale of fabric or paper containing arsenic. Amending P.S.'01 ch.269. N. H. 27, 20 F
- 4885 Misdemeanor to distribute trial samples of medicines, dyeing, ink, coloring or polishing compounds on sidewalks, porches, in yards or under doors and windows where children can get them. Pa. 81, 2 My
- 4886 Requiring filling of unused exposed wells and cisterns. S. D. 201, 8 Mr

## Trade. Industries. Mining

(See also Trusts and combinations, 1342)

### Domestic trade. Weights and measures

(See also Corporations, 1114; Business taxes, 1753; Negotiable instruments, 2001)

- 4887 Commerce.** Misdemeanor to ship farm produce into state and reship to deceive buyer; shipping bill to show where raised.  
Col. 1, 27 Ap
- 4888** Person, firm or agency engaged in collecting money may be arrested on failure to pay to owner. Amending P.S.'82 ch.162 §1.  
Mass. 343, 1 My
- 4889** Furnishing information as to personal character of person or firm or kind of business carried on not to be conducted without license from state controller. Amending '98 ch.422.  
N. Y. 362, 17 Ap
- 4890** Companies may incorporate to conduct commercial, mercantile and protective agencies. Amending '75 ch.142.  
Tenn. 58, 20 Ap
- 4891 Speculation.** Prohibiting wagering contracts in stocks or commodities where no purchase is intended; absence of seller's ownership evidence of wagering contract. Amending '90 ch.437.  
Mass. 459, 5 Je

### Warehouses. Commission merchants

- 4892 Warehouses. Storage of goods.** Public warehousemen to give bond of not under \$25,000; to insure stored property on written request; to give storage receipts; to keep account book; sale of property for charges.  
N. C. 678, 14 Mr
- 4893** Governor to license persons or corporations to keep public warehouses; \$5000 bond required; regulations. N. D. 141, 13 Mr
- 4894** Defining public warehousemen and warehouses; bond to be filed with county clerk; certificate of authority; regulations.  
Tex. 87, 15 Ap
- 4895** Persons engaged in canning or pickling farm products and owning building where operating may issue warehouse receipts for commodities on hand including receptacles. Amending '99 ch.251.  
Wis. 107, 30 Mr
- 4896 Grain warehouses and inspection.** Providing for issue and cancellation of grain receipts for public warehouses.  
Ill. p.320, 11 My
- 4897** Regulating sale and transfer of grain in elevators and issue of warehouse receipts.  
Ind. 154, 9 Mr
- 4898** Fees for grain inspection; persons for whom grain is inspected to file detailed report with state auditor; penalty; duties and compensation of chief inspectors and assistants. Amending '97 ch.138 §11-13.  
Kan. 192, 27 F
- 4899** City of New Prague to be terminal point for weighing and inspection of grain.  
Minn. 132, 4 Ap

- 4900 Railroad and warehouse commissioners may establish state inspection and weighing of grain at country points; procedure. Minn. 157, 6 Ap
- 4901 Making city of Willmar terminal point for state weighing and inspection of grain. Minn. 334, 13 Ap
- 4902 All grist and flour mills doing shipping business declared public warehouses. Amending R.C.'99 §1786. N. D. 140, 13 Mr
- 4903 Referring to next legislature constitutional amendment empowering assembly to provide for taxation of grain in storage. N. D. p.277
- 4904 Commission merchants. Commission men and brokers to be licensed and give \$5000 bond. Mich. 251, 15 Je 99. Unconstitutional. Class legislation. Valentine v. Berrien circuit judge, 83 N. W. 594.
- 4905 Consignor to file affidavit against delinquent commission merchant within 90 days; action must be brought within 1 year. Amending '99 ch.225 §5. Minn. 277, 13 Ap
- 4906 Persons in mercantile or commission business not to use corporate name unless statement showing names of incorporators is filed with register of deeds. Wis. 446, 15 My

#### Weights and measures

- 4907 General. Fixing standard of weights and measures for principal commodities. Fla. 91, 30 My
- 4908 Merchants selling grain, meal, potatoes and peanuts in original packages to mark weight thereon. Fla. 92, 10 Je
- 4909 Repealing '94 ch.198 §3-4 fixing cubic contents of dry gallon, liquid gallon and bushel in heap measure at 282, 231 and 2150.42 cubic inches respectively. Mass. 103, 5 Mr
- 4910 Coke in quantities under 100lb and charcoal to be sold in baskets or bags; coal in quantities of 100lb to be sold by weight; coke or coal sold by weight to be weighed by sworn weigher of town where sold; regulations; duties of sealer of weights and measures. Mass. 423, 23 My
- 4911 Legalizing standard time. Minn. 15, 26 F
- 4912 Misdemeanor to have in possession for selling or to offer or sell machine to falsify weight or measure. Amending S.'98 §4432. Wis. 108, 30 Mr
- 4913 Sealers. Public scales. Public cotton weighers to keep records of cotton weighed, giving weight, marks, vendor and vendee; records to be open to public inspection; penalty. Ark. 77, 4 Ap
- 4914 Town sealers to examine scales and measures within 3 months from April 1 [formerly during April]. Amending P.S.'01 ch.125 §7. N. H. 12, 20 F
- 4915 Providing for public weighers in towns and cities; duties; fees; in force only where adopted. N. H. 33, 27 F
- 4916 In cities of 50,000 to 250,000 sealer of weights and measures to supervise weighing of coal and perform duties demanded by council; board of estimate and apportionment to fix salary; no fees charged. Amending '98 ch.182 §442. N. Y. 479, 22 Ap

- 4917 Governor and senate to appoint state sealer of weights, measures and balances at January session of legislature; term 5 years; to begin Feb. 1. Amending G.L.'96 ch.167 §2.  
R. I. 809, §37, 29 Ja
- 4918 County commissioners may remove public cotton weighers after 10 days' notice; may fill vacancies. Amending '96 ch.27 §3.  
S. C. 416, 20 F
- 4919 Persons *elected or appointed* public weighers or *engaged in public weighing*, using false balances to be fined \$100 to \$500 or imprisoned not over 1 year; certifying false weight of *any* commodity punishable by *fine of \$25 to \$100* [formerly confinement in penitentiary 2 to 3 years]. Amending Pen.C. '96 §575-76.  
Tex. 90, 15 Ap
- 4920 Special commodities. Standard log measure to be Doyle stick; penalty.  
Ark. 184, 23 My
- 4921 Bushel of soybeans to weigh 58 lb and bushel of Japanese barnyard millet 35 lb.  
Mass. 100, 5 Mr
- 4922 Berry baskets to be quart, pint or half pint; penalty. Amending '00 ch.339.  
Mass. 327, 1 My
- 4923 Ton of mineral coal is 26 1-3 [formerly 28] bushels of 76 [formerly 80] lb. Amending P.C. §3134.  
Mon. p.137, 18 F
- 4924 Standard size of brick to be 8¼ x 4 x 2½ inches; other sizes not to be sold without notification to buyer; penalty. Neb. 78, 1 Ap
- 4925 Regulating weight of bread.  
N. H. 32, 27 F
- 4926 Prescribing method for measuring hay in stack to find tonnage.  
N. M. 34, 16 Mr
- 4927 Bushel of spelt to be 48 lb avoirdupois; millet, 50 lb. Amending R.C.'99 §1722.  
N. D. 213, 8 Mr
- 4928 Bushel of oats 32 [formerly 36] lb. Amending Hill's Ann. L.'92 §4217.  
Or. p.129, 26 F
- 4929 Each bale of hay or straw to be marked with weight; material used in baling cut hay or straw not to exceed 8% of weight of bale; penalty \$100.  
Pa. 47, 11 Ap
- 4930 Keg of black blasting powder to contain 25 lb; half keg, 12½ lb; quarter keg, 6¼ lb; to be stamped with weight and name of maker and used by no other person.  
Pa. 68, 24 Ap
- 4931 Spelt to weigh 45 lb a bushel.  
S. D. 189, 11 F
- 4932 Misdemeanor to plug or wedge logs to defraud buyer.  
Tenn. 130, 12 Ap
- 4933 Bushel of peaches to weigh 50 lb, tomatoes 55 lb, and apples 45 lb. Amending R.S.'95 §5323.  
Tex. 108, 18 Ap
- 4934 Barrels of flour made in state to contain not less than 196 lb; those shipped into state to have number of pounds plainly stamped on 1 head.  
Va. 180, 15 F
- 4935 Bushel of flaxseed or rutabagas to weigh 56 [formerly 55] lb; apples 57 lb; buckwheat 50 [formerly 48] lb. Amending S.'98 §1665.  
Wis. 111, 30 Mr
- 4936 Prescribing table for use in scaling logs. Amending S.'98 §1737.  
Wis. 451, 14 My



**Trade. Industries. Mining**

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**Trade marks. Union labels**

- 4937 Providing for registration of trade marks and labels, and for protection of owners. Ill. p.316, 11 My
- 4938 \$500 fine or 3 months imprisonment or both for counterfeiting union label; label to be recorded with secretary of state. Or. p.168, 27 F
- 4939 Union or association of workingmen may adopt trade mark or label and have exclusive control thereof; may rescind permission to use label granted to affiliated unions; labels to be recorded with secretary of state; penalties for counterfeiting; injunction. Amending '95 ch.68. Pa. 84, 2 My
- 4940 Labels, trade marks, brands and designs may be recorded with secretary of state; regulations; penalty for unlawful use. Pa. 286, 20 Je
- 4941 Manufacturers of beverages, medicines or other preparations using brands, labels or property marks to file description with county clerk and publish for 2 weeks in daily newspaper; penalty for unlawful use; procedure; search warrants. U. 119, 23 Mr
- 4942 Protecting union labels and trade marks; requiring registry with secretary of state; damages for illegal use to be fixed by court; existing rights not impaired; regulations. W. Va. 5, 23 F
- 4943 Providing remedy for counterfeiting label or trade mark; injunction; damages. Amending S.'98 ch.84a. Wis. 140, 6 Ap
- 4944 Forbidding unauthorized use of label, trade mark or similar device. Amending S.'98 ch.182. Wis. 201, 23 Ap
- 4945 Providing for registration of trade marks and other marks of ownership with register of deeds and secretary of state; sale of marked receptacle by other than owner prohibited. Wis. 360, 13 My
- 4946 Bottles, barrels, etc. Revising C.L.'97 §5676-80 protecting owners of marked bottles, boxes. Mich. 224, 6 Je
- 4947 Prohibiting buying, selling or using milk or cream cans bearing name or initials of owner. Amending '93 ch.338 §24. N. Y. 375, 17 Ap
- 4948 Prescribing penalty for illegal use of brands, labels and trade marks used in manufacture and sale of soda, mineral water and like beverages; labels to be recorded with register of deeds. Amending R.C.'99 §7264. N. D. 184, 8 Mr
- 4949 Register of deeds to record brands, labels and trade marks used by persons in manufacture and sale of soda, mineral water and like beverages; fee. N. D. 185, 5 Mr
- 4950 Unlawful to deface or remove trade mark or fill box or bottle with mark stamped thereon. Amending Pen.C.'95 §918a. Tex. 120, 19 Ap

**Legal holidays**

- 4951 June 3, Jefferson Davis's birthday, to be public holiday. Ala. p.3, 5 D 00
- 4952 Birthday of R. E. Lee, Jan. 19, to be legal holiday. Ala. p.142, 1 Mr

- 4953 Board of supervisors or local governing body may declare election day holiday. Cal. 219, 23 Mr
- 4954 Feb. 12, Lincoln's birthday, to be legal holiday. Del. 165, 7 Mr
- 4955 Appointing 1st Monday in September legal holiday. Amending C.'83 §8784. N. C. 25, 23 Ja
- 4956 Jan. 1, 2d Friday in May, and Tuesday next after 1st Monday in November to be holidays. Amending G.L.'96 ch.166 §8. R. I. 809 §36, 29 Ja
- 4957 Schools not to be closed on legal holidays unless ordered by trustees; month to consist of 20 school days inclusive [formerly exclusive] of holidays. Amending R.S.'95 §3910. Tex. 110, 18 Ap
- 4958 Feb. 12 to be legal holiday; when falling on Sunday, following Monday to be observed. Amending R.S.'99 §2696. Wy. 93, 19 F

**Miscellaneous**

- 4959 Trading stamps. Misdemeanor to issue trading stamps. La. 35, 3 Jl 00. *Unconstitutional*. Subject not included in title. State v. Walker, 29 S. 973.
- 4960 Misdemeanor to sell or distribute trading stamps or other similar devices; penalty. R. I. 842, 28 Mr
- 4961 Transient merchants. Transient merchants must be licensed; fee \$10 to \$25 a day according to population of county; act does not apply to pedlers. Ind. 208, 11 Mr
- 4962 Transient merchants in city or village to be licensed unless goods have been assessed for taxation. Minn. 304, 13 Ap
- 4963 Providing for licensing transient merchants in cities and towns; fee \$50 to \$100 a month. S. D. 198, 21 F
- 4964 Amending S.'98 ch.67 relating to licensing pedlers and transient merchants; bond of transient merchant declaring intention to become permanent; \$100 license for merry-go-round, ocean wave or trained animals; soldiers and cripples exempt from license fees; penalties; applications for license to deal in bankrupt stock to be made to secretary of state. Wis. 341, 8 My
- 4965 Auctioneers. Brokers. County commissioners may license as auctioneers only voters of county; licensed auctioneers may conduct business in adjoining counties. Amending G.S.'78 ch.28 §3. Minn. 158, 6 Ap
- 4966 County clerks [formerly selectmen] to license auctioneers for term of 2 [formerly 1] years; penalty for sales without license; exceptions. Amending S.'94 §4744-46. Vt. 95, 27 N 00
- 4967 Hawkers and pedlers. Pedlers of lightning rods, steel stove ranges, clocks, pumps and vehicles to pay \$200 license fee to county clerk; penalty. Ark. 136, 29 Ap
- 4968 License not needed by itinerant vendor selling goods at annual fair on agricultural society's grounds. Amending '97 ch.152. Ct. 14, 28 Mr
- 4969 Itinerant vendors; definition; persons excepted; state license fee \$100, deposit \$500; local license fee \$25; sworn statements as to sales; state treasurer subject to garnishee process. Ct. 151, 17 Je

- 4970 Regulating licenses for pedlers, hawkers and solicitors; provisions; penalty. Repealing R.S. §1651. Id. p.155, 16 Mr
- 4971 Pedler's license \$25 annually; to be paid to any county auditor; wagon license \$50; fees a part of school fund. Ind. 244, 12 Mr
- 4972 Pedlers required to take out county license; fee; penalty. Kan. 271, 2 Mr
- 4973 Regulating hawking and peddling; secretary of state to license citizens of U. S. on recommendation of mayor or selectmen. Me. 298, 12 Mr 89; amended '93 ch.282, 306. Unconstitutional. Denies equal protection to persons within jurisdiction of state. State v. Montgomery, 47 A. 165.
- 4974 Pedlers to be licensed; state and county licenses; disabled soldiers or sailors and blind exempted from fees; maximum penalty \$200. Me. 277, 22 Mr
- 4975 Regulating licensing of itinerant vendors; not to apply to commercial travelers or street pedlers; deposit with secretary of state of \$500; state license \$25; local license. Repealing '90 ch.259. Mich. 191, 29 My
- 4976 Pedlers selling goods outside cities and towns to procure license of county clerk, good only in county issued; fees \$25 to \$100; penalties. Amending C.S.'99 ch.77 §152-4. Neb. 53, 28 Mr
- 4977 Commercial agents selling at wholesale by sample only are not hawkers or pedlers. Amending '97 ch.76. N. H. 73, 20 Mr
- 4978 Pedlers of beef to obtain annual license; fee \$250; hides for shipment out of territory to be inspected and tagged by cattle sanitary board inspectors; fees; penalties. N. M. 45, 19 Mr
- 4979 Amending C.L.'97 §4141 by defining pedler. N. M. 74, 21 Mr
- 4980 Municipal corporation not to forbid or require license for peddling farm produce by producer. Adding §28 to '92 ch.685. N. Y. 389, 17 Ap
- 4981 Pedlers on foot in boroughs and townships to pay annual license of \$10; using wagon \$40; veterans exempt; penalty. Pa. 270, 14 Je
- 4982 City and town councils may issue licenses to street vendors and pedlers and regulate penalties and fees; exceptions. Repealing '98 ch.557 and '00 ch.727. R. I. 846, 28 Mr
- 4983 Misdemeanor for itinerant trader to sell goods within one half mile of camp meeting ground; exceptions; penalty. S. C. 438, 8 F
- 4984 Defining pedler. Amending S.'94 §4731. Vt. 94, 26 N 00
- 4985 Producer may sell ice, fuel, meats, fowl, fish, vegetables, fruits or other family supplies of perishable nature without pedler's license. Amending '00 ch.767 §32. Va. 185, 15 F
- 4986 Pedlers of eyeglasses or spectacles to pay license of \$5 a day. Wash. 82, 16 Mr
- 4987 Pawnbrokers. Junk and secondhand dealers. Pawnbroking law applies to junk dealers. Cal. 59, 28 F
- 4988 Town councils may license junk and secondhand dealers; regulations; fees and penalties. R. I. 863, 29 Mr

- 4989** Jewelry dealers or manufacturers buying secondhand articles of gold, silver, precious stones, copper, lead or brass to report to chief of police within 24 hours description of articles and name of person from whom received; register to be kept.

Wis. 372, 13 My

- 4990** Licenses. Boards of supervisors of counties and legislative bodies of towns may license any business not prohibited by law; veterans may peddle without tax. Adding §3386 to P.C.

Cal. 209, 23 Mr

- 4991** City common council and village trustees may license bill posters, distributors and outdoor advertisers.

Wis. 206, 23 Ap

- 4992** Miscellaneous regulations. Temporary restaurants, booths or eating houses not to be carried on within one half mile of old soldiers' re-union or picnic.

Ind. 86, 7 Mr

- 4993** Regulating sale of unclaimed baggage in hotels, steamboats and railroad cars. Amending '37 ch.300.

N. Y. 313, 11 Ap

#### Arts. Industries

- 4994** Exposition corporations. World's fair corporations to have from 25 to 100 [formerly 75] directors. Amending R.S.'99 §1526.

Mo. p.96, 27 F

- 4995** Buffalo, Charleston and St Louis expositions. St Louis international exposition; governor to appoint 4 commissioners, 2 from each political party and 1 from each judicial district; \$5000 surety company bond; organization; compensation \$5 a day and traveling expenses after Dec. 31, 1901; reports; may raise \$30,000 on 20 year 5% bonds.

Ari. R.S.'01 p.1485, 21 Mr

- 4996** Governor and senate to appoint 3 directors for Louisiana purchase exposition of 1903; duties; salaries of employees; report; \$30,000.

Ark. 139, 1 My

- 4997** Governor to be president of board of St. Louis world's fair managers; to appoint 4 members including commissioner in chief; treasurer under \$10,000 bond; \$2500 annually for clerical help; compensation, commissioner in chief \$2500, members \$5 a day and expenses; \$50,000 appropriated; provisions.

Col. 95, 27 Ap

- 4998** \$1000 for exhibit of state board of agriculture at Pan-American exposition; report.

Del. 47, 9 Mr

- 4999** \$5000 for exhibit at Pan-American exposition; special commissioner to take charge of fund.

Fla. 118, 15 My

- 5000** Verbal correction in '01 ch.118 relating to appropriation for Pan-American exhibit.

Fla. 119, 17 My

- 5001** Commissioner of agriculture, state geologist and 1 member appointed by governor to be state board of managers for Pan-American and Charleston expositions; no compensation; to arrange exhibit at Buffalo and transfer it to Charleston; geologic and agricultural departments to cooperate.

Ga. p.80, 18 D 00

- 5002** Governor to appoint commissioner for Pan-American exposition; 3 deputies; \$5000 bond; compensation \$2000 and expenses; \$15,000.

Id. p.104, 14 Mr

- 5003 \$250,000 for building and exhibit at Louisiana purchase exposition; governor to appoint 15 commissioners; powers, duties, compensation; final disposition of building. Ill. p.41, 9 My
- 5004 \$75,000 for building and exhibit at Pan-American exposition; governor to appoint 7 commissioners; powers, duties, compensation; final disposition of building. Ill. p.43, 31 Ja
- 5005 \$25,000 for building and exhibit at Interstate and West Indian exposition; governor to appoint 7 commissioners; powers, duties, compensation; final disposition of building. Ill. p.45, 11 My
- 5006 Louisiana purchase centennial exposition commission of 5 members to be appointed by governor; duties; report; compensation; \$75,000. Kan. 35, 2 Mr
- 5007 \$250 to state pomological society for exhibit at Pan-American exposition. Me. r. 174, 1 Mr
- 5008 Governor may appoint Louisiana purchase exposition commission; 5 members; no salary or expense allowance. Me. r. 217, 21 Mr
- 5009 \$25,000 for exhibits at Interstate and West Indian and Pan-American expositions. Md. 12, 1 Ap
- 5010 Paris exhibits to be used at Pan-American exposition. Mass. r. 8, 28 F
- 5011 Governor to appoint board of Pan-American exposition managers; 5 members and governor ex officio; duties and regulations; \$40,000, \$10,000 for building. Mich. 1, 24 Ja
- 5012 Further appropriation of \$3000 for building at Pan-American exposition. Mich. 78, 22 Ap
- 5013 Governor to appoint 3 commissioners to arrange exhibit at Pan-American exposition; no salary; \$300 for expenses; may appoint superintendent; \$20,000. Minn. 54, 14 Mr
- 5014 Governor to appoint 5 commissioners for Pan-American and Interstate and West Indian expositions; organization; bond of treasurer; \$5 a day and traveling expenses; duties; \$50,000. Mo. p.35, 18 Mr
- 5015 \$1,000,000 for buildings and exhibits of state at World's fair, St Louis, in 1903; governor to appoint 9 commissioners, 5 from majority party and 4 from minority; organization and duties; bond of treasurer; \$10 a day for actual service and \$5 additional for expenses; state department officials to cooperate. Mo. p.39, 17 Ap
- 5016 Pan-American exposition; governor to appoint 1 commissioner to prepare exhibit; \$150 a month and traveling expenses, total not over \$1500; duties; may employ persons to care for exhibits at \$90 a month and traveling expenses; commissioner to keep itemized account of expenses, which, when approved by governor, shall be paid by auditor's warrant; auction sale of exhibit at close of exposition. Neb. 15, 1 Ap
- 5017 Governor to appoint 3 commissioners to arrange and display state products at Pan-American exposition; \$5000. Nev. 16, 26 F

- 5018 Commissioners to Pan-American exposition may unite with other states in erection of building; \$5000 for building; \$2000 for expenses. N. H. 4, 5 F
- 5019 4 Pan-American commissioners to be appointed; no salary; expenses of commissioners and governor in procuring exhibits paid by state. N. J. 42, 13 Mr
- 5020 Governor to appoint commission of 7 for Louisiana purchase exposition; organization; duties; report to governor; expenses paid; \$20,000. N. M. 100, 21 Mr
- 5021 Pan-American exposition company may issue \$500,000 of mortgage bonds. Supplementing '99 ch.2. N. Y. 238, 2 Ap
- 5022 Governor to appoint 7 commissioners for state at Interstate and West Indian exposition to serve without salary; \$15,000 for expenses and clerk hire. N. Y. 499, 23 Ap
- 5023 State board of agriculture to make exhibit at expositions at Buffalo, Charleston and St Louis; governor may appoint commissioners; compensation and expenses to be fixed and paid by board of agriculture. N. C. p.1041, 14 Mr
- 5024 \$10,000 for exhibit at Pan-American exposition. N. D. 16, 9 Mr
- 5025 Governor, commissioner of agriculture and lieutenant-governor to constitute Pan-American exposition commission; to appoint manager of state exhibit; reports; compensation. N. D. 129, 9 Mr
- 5026 Creating joint Pan-American and Interstate and West Indian commission to arrange displays at Buffalo and Charleston; commissioners; \$25,000, 80% of which may be spent at Buffalo. Or. p.80, 25 F
- 5027 \$35,000 for building at Pan-American exposition. Pa. 8, 25 F
- 5028 \$35,000 for building and exhibit at Interstate and West Indian exposition; \$5000 for cereal, dairy and horticultural exhibit. Pa. 411, 18 JI
- 5029 Governor to appoint 5 citizens, president pro tem. of senate 5 senators, and speaker 7 representatives, who with governor, president pro tem. and speaker shall serve as commissioners for Pan-American exposition; \$35,000 for building and expenses. Pa. c.r.6, 1 F
- 5030 Governor to appoint 8 citizens, president pro tem. of senate 4 senators, and speaker 8 representatives, who with governor, lieutenant-governor, president pro tem. and speaker shall serve as commission for Interstate and West Indian exposition; \$35,000 for building and expenses. Pa. c.r.31, 22 Je
- 5031 Governor to appoint 7 citizens, president pro tem. of senate 5 senators, and speaker 8 representatives, who with governor, president pro tem., speaker, state treasurer and auditor general shall serve as commission for Louisiana purchase exposition. Pa. c.r.39, 18 JI
- 5032 Commission and executive superintendent to Pan-American exposition to prepare exhibit at Charleston. R. I. p.264, 28 Mr
- 5033 \$15,000 for exhibits at Pan-American exhibition. R. I. p.280, 7 F

- 5034 \$50,000 for Interstate and West Indian exposition; governor to appoint 4 commissioners and be chairman of commission; regulations. S. C. 492, 8 F
- 5035 Amending '01 ch.73 relating to state exhibit at Pan-American exposition; executive commissioner to act under direction of commission. Wash. 7, 13 Je
- 5036 Nonpartizan Pan-American exposition board of 11 members may be appointed by governor to serve without salary; to appoint executive commissioner at \$150 a month; \$25,000. Wash. 73, 15 Mr
- 5037 Governor to appoint state board of managers of St Louis world's fair; organization; duties; final accounting; \$25,000. Wis. 297, 4 My
- 5038 Lewis and Clark centennial. Governor to appoint 5 commissioners to Lewis and Clark centennial; to prepare exhibit and recommend to legislature of 1903 financial measures. Wash. c.r.17, 4 Mr
- 5039 Linseed oil. Prohibiting adulterations in linseed oil; must have been heated to 225° F; requiring labels and fixing penalty; board of health to enforce law. Ind. 26, 27 F
- 5040 Providing test for adulteration of linseed oil. Amending '97 ch.217 §1. Minn. 332, 13 Ap
- 5041 No article to be sold as boiled linseed oil unless product of pure linseed or flaxseed; penalty; secretary of agriculture to enforce law. Pa. 62, 23 Ap
- 5042 Preventing adulteration or deception in sale of linseed oil; penalty \$50 or imprisonment 30 to 60 days; one half fines to informer and one half to state dairy and food commission. S. D. 177, 8 Mr
- 5043 Mills. In injury from mill dam respondent may tender or offer to be defaulted for damages; if not accepted to affect only costs. Amending R.S.'83 ch.92 §29. Me. 198, 16 Mr
- 5044 Governor and senate to appoint commissioner of dams and reservoirs triennially at January session of assembly beginning 1903; term to begin Feb. 1. Amending G.L.'96 ch.124 §1. R. I. 809 §32, 29 Ja
- 5045 Governor to appoint commissioner of dams and reservoirs triennially beginning January 1901 [formerly 1903]. Amending '01 ch.809 §32. R. I. 840, 28 Mr
- 5046 Owners of mill dams to construct waste gates for escape of flood waters. S. D. 208, 9 Mr
- 5047 Horseshoeing. Horseshoers to be examined and licensed in cities over 5000; board of examiners consisting of veterinary surgeon, 2 master and 2 journeyman horseshoers to be appointed by mayor for 5 years; fees \$10 for each person examined; registration of horseshoers with city clerk. Repealing '99 ch.77. Wash. 67, 11 Mr

- 5048 Accountants.** Governor to appoint 5 persons, 3 of whom shall be skilled accountants, to serve as state board of accountancy; term 4 years; board to examine and license accountants; qualifications of applicants; fees; report to governor.  
Cal. 213, 23 Mr
- 5049 Miscellaneous.** Repealing '97 ch.33 providing phosphate samplers at shipping ports.  
Fla. 98, 22 My
- 5050 Penalty for adulteration of white lead may be fine or [formerly and] imprisonment.** Amending '99 ch.244 §1.  
Minn. 267, 13 Ap
- 5051 Label to be placed on every ball of binding twine giving name of manufacturer and number of feet to pound; penalty.**  
Neb. 41, 30 Mr
- 5052 Bounty for production of crude petroleum, discovery of natural gas and artesian wells; regulations; \$5000.** Nev. 76, 19 Mr
- 5053 Repealing bounties for manufacture of binding twine.** R.C.'99 §1679-80.  
N. D. 44, 8 Mr
- 5054 Repealing bounty on starch.** R.C.'99 §1681-82.  
N. D. 45, 26 F
- 5055 Repealing R.C.'99 §1675-78 granting bounties for manufacture of spinning fibers.**  
N. D. 183, 11 Mr
- 5056 Public cotton ginner to keep public record of cotton ginned and packed; to place on bales owner's initials and private ginner's mark; forbidding alteration and defacement of marks.**  
Tex. 98, 17 Ap

### Mines and mining

- 5057 General and miscellaneous.** \$150,000 for works to restrain and impound mining debris.  
Cal. 14, 14 F
- 5058 Titles to sites for debris dams to be in name of U. S.**  
Cal. 118, 13 Mr
- 5059 By Jan. 1, 1902, governor to appoint debris commissioner for term of 4 years. Amending '93 ch.228.**  
Cal. 121, 13 Mr
- 5060 Salary of debris commissioner \$600 and expenses. Amending '93 ch.228.**  
Cal. 174, 23 Mr
- 5061 Miner's inch of water is equal to 1½ cubic feet of water a minute.**  
Cal. 222, 23 Mr
- 5062 \$5000 for permanent state mineral exhibit at capitol; \$1750 for expenses.**  
Id. p.186, 11 Mr
- 5063 Governor to appoint 2 mine operators and 2 miners to codify laws relating to mines and mining; \$500.**  
Ind. 248, 12 Mr

### Location. Ores. Property rights. (See also Irrigation and water rights, 5199)

- 5064 Mining claims.** Owner of mining claim who has had possession 3 years and made required improvements may establish possessory right; suit for recovery; affidavit of work; county recorder to keep record of claim notices; penalty.  
Ark. 177, 23 My
- 5065 Amended statements of mining claim locations may be filed.**  
Mon. p.56, 15 Mr



- 5066** Locator to sink discovery shaft and file declaratory statement within 60 [formerly 90] days of posting notice on claim; must define boundaries *within 30 days*. Amending P.C. §3611-12.  
Mon. p.140, 15 Mr
- 5067** Locator of mining claim to have 90 [formerly 120] days from posting of notice to sink discovery shaft; open cut equal in size to shaft 4 by 6 by 10 feet to be equivalent to discovery shaft; definition of boundaries. Amending '99 ch.77.  
Nev. 93, 20 Mr
- 5068** After 21 years from date of discovery, discoverer of gold or silver mines to pay royalty to state of 1% on market value of products. Amending '94 ch.317 §83. N. Y. 416, 18 Ap
- 5069** Location of mining claim on stream or below dump of placer mine to be subject to prior debris rights of mines in operation.  
Or. p.122, 25 F
- 5070** Amending '98 p.16 concerning location of mining claims.  
Or. p.139, 25 F
- 5071** Misdemeanor to interfere with mining claim location marks; penalty \$500 or imprisonment for 6 months or both.  
Or. p.175, 27 F
- 5072** Repealing R.S.'99 §2557 relating to regulation by mining districts of amount of assessment work that may be done on placer claims. Wy. 41, 14 F
- 5073** Amending R.S.'99 §2553, 2555, 2559 relating to filing of location certificates of placer claims, assessment work required, and affidavit of work performed. Wy. 100, 19 F
- 5074** **Property rights. Contracts.** Minerals on state lands to be reserved for state; deeds to reserve mineral rights; land commissioner to enforce. Minn. 104, 2 Ap
- 5075** Misdemeanor to trespass upon patented mining ground.  
Nev. 107, 23 Mr
- 5076** \$2000 fine or 5 years imprisonment or both for contamination of salt wells or mines. Adding §447e to Pen.C. N. Y. 528, 25 Ap
- 5077** Owners of stock to amount of 1000 shares in mining corporation to be permitted to examine property thereof; \$200 penalty. Wash. 120, 16 Mr
- 5078** Amending Ballinger's Codes '97 §2213, 2216, 2218 relating to leasing mineral lands; fixing royalty to be paid state.  
Wash. 151, 18 Mr
- Miners. Inspection. Safety.**
- 5079** **Inspection. Regulation.** Associate mine inspectors to receive \$1200 [formerly \$1000] annually. Amending C.'96 §2899.  
Ala. p.204, 5 Mr
- 5080** Each union entitled to 1 delegate to state miners association and 1 additional for every 50 members, if organized 3 months before annual meeting; unions to furnish statistics and information requested by state secretary of mine industry; deputy inspectors to receive \$3 a day and expenses [formerly \$75 a month]. Amending '98 ch.33 §1-2, 5. Kan. 256, 7 F

- 5081 *Superintendent of coal mines responsible for ventilation; four currents of air; worked out parts of mines to be blocked off; duties of inspectors and county attorneys; penalties. Amending '97 ch.159 §3, 14. Kan. 257, 26 F*
- 5082 *Salary of mine inspector \$1800 [formerly \$1500]; may employ secretary at \$600 and appoint 2 [formerly 1] deputies; salary \$1200 [formerly \$1000]; expenses paid. Amending R.S.'94 §7452-55. Ind. 232, 11 Mr*
- 5083 *Every mine operated by shaft to use specified code of signals. Amending R.S.'99 §8911. Mo. p.211, 22 Mr*
- 5084 *Mine inspectors to report to governor April [formerly October] 15; mine operators to report to inspectors on prescribed blanks within 20 days after Jan. 1; owner selling mine to furnish buyer with certified statement, which shall be embodied in new owner's annual report. Mo. p.212, 27 Mr*
- 5085 *Mines where blasting is done to employ shot-firers, who shall examine after blast, designate undischarged holes and report to employees; in sinking shafts electric battery above ground to be used to fire shots; exceptions; penalties. Amending R.S.'99 §8826-27. Mo. p.214, 27 Mr*
- 5086 *Establishing uniform system of mine bell signals and providing for enforcement. Or. p.151, 26 F*
- 5087 *\$200 fine for selling liquors within 1 mile of mine except in cities and towns. Or. p.202, 27 F*
- 5088 *Mine foremen and assistant foremen to have 5 years experience as miner and pass state examination; examiners to be commissioner of labor and 1 miner and 1 owner, operator, or superintendent appointed by governor for 2 years; regulations. Tenn. 37, 20 Ap*
- 5089 *Board of examiners of mine foremen to grant certificates of two classes, "A" to persons experienced in mines generating gases or other explosive substances, "B" to persons experienced in other mines. Amending '01 ch.37. Tenn. 172, 22 Ap*
- 5090 *Mines with but one exit and that covered by mechanical plant to have fire protection by water or hand grenades. U. 128, 25 Mr*
- 5091 *Mining shafts 200 feet deep to be provided with safety cages for raising and lowering employees. U. 129, 25 Mr*
- 5092 *Amending '87 ch.50 relating to mine ventilation, inspection and drainage; chief inspector and 5 [formerly 4] district inspectors to give whole time to office; salaries increased; yearly report; precautions prescribed in gaseous mines; duties of fire boss. W. Va. 106, 21 F*
- 5093 *Hospitals. Amending '99 ch.57 §2 relating to boards of directors of miners hospitals; abolishing requirement that half of each board be citizens of specified counties; not over 3 [formerly 2] on any board to belong to same party. W. Va. 57, 20 F*
- 5094 *Hours of labor. Establishing 8 hour day for underground miners and persons employed in reducing ores and refining metals. Mon. p.62, 2 F*

Coal mines

- 5095 Inspection and regulations.** Amending '90 p.1099 as to maps of coal mining districts. Ala. p.177, 4 Mr
- 5096 Governor with senate's consent to appoint 1 coal mine inspector for 4 years at \$2000; qualifications and duties; annual report; governor may require inspection of quartz mines.** Mon. p.63, 18 Mr
- 5097 Anthracite coal mines to contain hospital room not less than 8 by 12 feet provided with medicines and appliances for emergency treatment of injured; foreman to keep record of materials on hand; mine inspector to visit rooms every 6 months; penalties.** Pa. 212, 29 My
- 5098 Qualification of coal miners 1 [formerly 2] year's labor in coal mine with practical miner. Amending R.S.'90 §8828.** Mo. p.215, 12 Mr
- 5099 Providing for inspection of coal mines; inspectors to be elected in each district by popular vote [formerly appointed by governor]; regulations. Amending '91 ch.177.** Pa. 255, 8 Je
- 5100 Crosscuts in coal mines to be not over 60 feet apart; rooms and entries not to be driven more than 60 feet ahead of air current.** Tenn. 100, 31 Ja
- 5101 Governor and senate to appoint mine inspector; term 4 years; salary \$2000 and expenses; to have had 5 years mine experience; mine owners to file maps; entrance and exit; ventilation; water for sprinkling; speaking tubes; board of examiners for mining boss.** U. 85, 14 Mr
- 5102 State coal mine inspector may appoint special deputies to investigate mine accidents and perform other duties; fees \$4 a day.** Wy. 98, 19 F
- 5103 Hours. Coal miners not to work over 8 hours a day. Amending R.S.'99 §8793.** Mo. p.211, 23 Mr
- 5104 Oil. State inspectors of mines to inspect oil for use in mine; name of inspector, date and place of inspection to be branded. Amending '95 p.256.** Ill. p.247, 11 My
- 5105 Fixing a standard for illuminating oils used in coal mines; state mine inspector to inspect oils; misdemeanor to sell or use oil below standard.** Tenn. 92, 5 F
- 5106 Prescribing tests for oils used in mines in torches or open lamps.** W. Va. 31, 20 F
- 5107 Weighing. Coal mined and paid for by weight to be weighed before screened unless persons mining agree otherwise by contract. Amending '99 ch.102.** Ark. 114, 19 Ap
- 5108 Mine owners to provide scales and measures for coal taken out; to weigh coal of each miner; regulations; penalty.** Col. 91, 30 Ap
- 5109 Providing for employment and protection of check weighman at coal mines; possession or use of fraudulent scales a misdemeanor.** Mon. p.65, 19 F

- 5110 Unlawful to screen coal before weighing where miners or loaders are paid according to amount mined or loaded. O. p.33, 9 Mr 98. *Unconstitutional*. Unwarrantable invasion of right to make contracts. In re Preston, 59 N. E. 101.
- 5111 Providing for election of check weighman by employees where wages depend upon weight of product. W. Va. 20, 23 F
- Petroleum. Gas**
- 5112 Regulations for control of natural gas and oil wells and prevention of waste, altering or making gas connections. Kan. 224, 2 Mr
- 5113 Exempting petroleum and gas lands from operation of act providing for location of lode and placer mining claims. Amending '99 ch.45. Wash. 137, 18 Mr
- Phosphate**
- 5114 Amending '91 ch.34 relating to phosphate mining in navigable waters; 50c a ton tax not to apply to mining for own use on land within 10 miles of deposits. Fla. 96, 30 Ap

## Agriculture

### General. Commissions. Associations

- State supervision and encouragement.** (*See also* Agricultural colleges, 564)
- 5115 State department. Amending '99 ch.216 §1 as to appointment of state board of agriculture. Del. 102, 6 F
- 5116 Commissioner of agriculture to give bond for \$10,000 [formerly \$50,000]. Amending R.S.'92 §145. Fla. 78, 10 My
- 5117 \$94,000 to state board of agriculture for buildings and improvements. Ill. p.73, 31 Mr
- 5118 Creating department of agriculture; commissioner elected biennially to hold farmers institutes and state dairymen conference; to apportion state stipend due societies, enforce laws relating to sale of adulterated food products and issue annual reports. Me. 204, 19 Mr
- 5119 Secretary of state board of agriculture may publish for general distribution such parts of annual report as best suited to promote agricultural interests. Mass. 130, 12 Mr
- 5120 Salary of 2d clerk of secretary of state board of agriculture to be \$1400. Mass. 335, 1 My
- 5121 Only practical farmers eligible to board of agriculture; *governor* [formerly board of agriculture] to fill vacancy in office of commissioner. Amending '99 ch.377 §2, 4. N. C. 187, 18 F
- 5122 Revising '99 ch. 377 relating to department of agriculture; commissioner to be elected for 4 years; salary \$2000; board of agriculture of 1 member from each congressional district appointed by governor; commissioner to preside over board and be chairman of executive and finance committees; duties; fertilizers; state chemist. 10p. N. C. 479, 9 Mr

- 5123** Creating board of agriculture; 6 members appointed by delegates from farmers institutes; term 3 years; to publish statistics on agriculture and kindred industries; to supervise county farmers institutes; may issue charters; to encourage agriculture; compensation \$3 a day and mileage; annual report; county clerk to make return of assessors' reports. **Okl. 2 art.1, 8 Mr**
- 5124** Governor and senate to appoint members of state board of agriculture at January session of assembly; term 2 years beginning Feb. 1. Amending G.L.'96 ch.99 §1-2. **R. I. 809 §24, 29 Ja**
- 5125** *State board* [formerly department] of agriculture to consist of 5 persons appointed by governor for 2 years [formerly 2 district boards chosen by agricultural societies]; \$3000 for state fair. **S. D. 190, 9 F**
- 5126** Secretary of silk commission to be executive officer; salary \$900 and expenses; on petition of 50 freeholders, board of county commissioners may appoint county silk commissioner to act under direction of state commission; state commission may use \$1500 [formerly \$1000] in investigations; total appropriation \$3500 [formerly \$3000]. Amending R.S.'98 §2043-44, 2049. **U. 130, 25 Mr**
- 5127** State board of agriculture to consist of 7 commissioners [formerly 1 from each congressional district and 1 from state at large], not more than 5 [formerly 3] to belong to same party. Amending '95 ch.33 §1. **W. Va. 53, 20 F**
- 5128** State board of agriculture to print proceedings of agricultural societies, pay delegates' expenses and designate time and place for farmers institutes. Amending '95 ch.33 §5. **W. Va. 59, 19 F**
- 5129** Secretary of state board of agriculture to collect farm and weather statistics and publish and distribute monthly statements. **Wis. 79, 23 Mr**
- 5130** State board of agriculture to report to governor annually [formerly each even-numbered year]. Amending S.'98 §1458a. **Wis. 82, 23 Mr**
- 5131** **Experiment stations.** Experimental station of state agricultural college and branch of state normal school established on Fort Hays military reservation; organization; regulations. **Kan. 220, 26 F**
- 5132** \$2000 to state college for experiments in culture and curing of tobacco; not over 5 localities to be tried; printing and distribution of bulletins. **Pa. 399, 18 J1**
- 5133** **Farmers institutes.** 20,000 [formerly 10,000] copies of annual report of farmers institute to be printed. Amending '95 p.1. **Ill. p.3, 11 My**
- 5134** \$10,500 for farmers institutes. **Ill. p.51, 10 My**
- 5135** \$10,000 [formerly \$5000] to encourage study of agriculture, horticulture, entomology, agricultural chemistry in county institutes. Amending '89 ch.134. **Ind. 57, 4 Mr**
- 5136** \$7500 for farmers institutes, reading courses and lectures. **Mich. 232, 6 Je**

- 5137 \$2000 for farmers institutes; board of administration of ex-officio members; annual institutes in each county; printed report.

Mon. p.55, 14 Mr

- 5138 President of trustees, professors of agriculture and of dairying of state agricultural college, commissioner of agriculture and director of experiment station to constitute state farmers institute board of directors; powers; duties; compensation.

N. D. 172, 12 Mr

- 5139 Encouragement. Miscellaneous. \$1 a ton bounty on beets containing 12% sugar to be determined by secretary of state board of agriculture; not over \$5000 to be paid annually.

Kan. 57, 5 Mr

- 5140 Bounty of 1c a pound for manufacturers of beet sugar who pay \$4 a ton for beets; land office commissioner to determine bounty and appoint weighman and inspector; regulations. Mich. 48, 26 Mr 97. Unconstitutional. Class legislation. Mich. Sugar co. v. Auditor general, 83 N. W. 625.

- 5141 Seed grain to be loaned to farmers whose crops were destroyed by drought and storms in 1900; regulations; \$75,000.

Minn. 42, 13 Mr

- 5142 \$7000 for experiments in sugar beet culture and bounty of 1c a pound to manufacturers.

N. Y. 331, 12 Ap

- 5143 Counties may issue bonds to purchase seed grain for needy farmers; to be paid for by beneficiaries from harvested crops; procedure.

N. D. 41, 8 Mr

- 5144 Repealing Ann.S.'99 §2954 permitting township supervisor to furnish seed grain.

S. D. 185

- 5145 Seed sold to have marked on package year grown; penalty \$50.

Wash. 160, 18 Mr

- 5146 On petition of 10% of voters question of naming farms to be submitted at annual town meeting; if adopted owners to name and post sign on farms; \$10 penalty for failure to comply.

Wis. 343, 9 My

#### Associations. Fairs

- 5147 Misdemeanor to enter fair grounds other than through gate without permission of keeper or officer in charge. Amending '70-71 ch.184 §3.

N. C. 291, 27 F

- 5148 State. Repealing '99 ch.174 making annual appropriation of \$1500 to state agricultural society.

Del. 48, 7 Mr

- 5149 Repealing '99 ch.175 regulating expenditure of annual appropriation to state agricultural society.

Del. 49, 7 Mr

- 5150 \$2500 to state fair association for state fair at Jacksonville.

Fla. 117, 31 My

- 5151 \$1500 annually to state horticultural society.

Mich. 168, 27 My

- 5152 \$25,000 from state fair fund for state fair.

Mo. p.38, 19 Mr

- 5153 \$35,000 for purchase and improvement of 160 acres of land within 3 miles of capitol building for state fair purposes. Amending C.S.'97 ch.2 art.1 §1.

Neb. 1, 1 Ap

- 5154 \$300 for state horticultural society; report to state board of agriculture.

N. H. 70, 20 Mr

- 5155 State fair commission to publish time of holding fair between *Jan. 1 and Feb. 15* [formerly in month of January]. Amending '00 ch.346. N. Y. 224, 28 Mr
- 5156 State board of agriculture may issue license to person to conduct any business including sale of liquor on state fair grounds at Salem; money to go to agricultural fund. Or. p.9, 1 F
- 5157 \$8000 [formerly \$5000] for premiums by state board of agriculture. Amending Hill's Ann.L. §3163. Or. p.121, 25 F
- 5158 At annual state fair at Salt Lake City to be an exhibition of imported animals. Amending R.S.'98 §2128. U. 43, 14 Mr
- 5159 \$3250 [formerly \$2500] for northern Wisconsin state fair. Amending S.'98 §1458d. Wis. 356, 13 My
- 5160 Local. Board of supervisors may levy special county tax not over \$10,000 in 1 year for exhibit of county products at expositions for encouraging immigration. Cal. 186, 23 Mr
- 5161 Land and improvements of county or district agricultural society to amount of 80 acres exempt from taxation. Ind. 14, 14 F
- 5162 County board *may* [formerly shall] pay to county agricultural society sum *not over* [formerly equal to] 3c per capita of population; no indecent shows or dances in fair inclosure or within 40 rods. Amending C.S.'90 ch.2 art.1. Neb. 2, 26 Mr
- 5163 Regulating distribution of moneys to agricultural societies. Amending '93 ch.338 §88. N. Y. 144, 21 Mr
- 5164 County commissioners may appropriate \$500 for county fair premiums. Okl. 2 art.2, 8 Mr
- 5165 \$900 [formerly \$600] annually for 2d southern Oregon district agricultural society. Amending '93 p.113. Or. p.275, 27 F
- 5166 Amount equal to 40% of *cash* premiums paid at fairs during year to be paid by state to agricultural and industrial societies. Amending S.'98 §1463. Wis. 274, 2 My

#### Soil—drainage, irrigation, fertilizers

##### Drains. Dykes. Levees

- 5167 Amending '97 ch.228 as to drainage districts and elections. Cal. 169, 23 Mr
- 5168 On petition of majority of owners benefited county commissioners may after public notice appoint 3 persons to survey and establish route of drain and supervise construction; work to be let to lowest bidder; assessments. Fla. 151, 3 My
- 5169 Amending R.S.'99 ch.42 relating to drainage. Ill. p.147, 10 My
- 5170 Amending R.S.'99 ch.42 §137 relating to special assessments in drainage districts. Ill. p.156, 10 My
- 5171 Amending R.S.'99 ch.42 §151 relating to liability of owners in voluntary drainage districts. Ill. p.157, 11 My
- 5172 County court to appoint drain commissioners in absence of petition. Amending '91 p.104. Ill. p.160, 10 My
- 5173 County court to appoint drain commissioner in absence of petition. Amending R.S.'99 ch.42 §62. Ill. p.161, 11 My
- 5174 Drain commissioners may lease or sell lands. Amending R.S.'99 ch.42. Ill. p.163, 11 My

- 5175 Amending drain law, '85 ch.40; petitioners to give bond for expenses in case court fails to establish drain. Ind. 100, 8 Mr
- 5176 Providing for cancelation of ditch assessments when ditch was not completed; procedure. Ind. 193, 11 Mr
- 5177 On filing bond and petition of person interested county commissioners to proceed to tile public drain; procedure. Ind. 235, 11 Mr
- 5178 Misdemeanor to build cross levee, dike or obstruction preventing proper working of levees; penalty. Amending '93 ch.104 §10, 13. Kan. 248, 25 F
- 5179 Judge of probate to appoint special county drain commissioner when drain commissioner is interested; regulations. Mich. 27, 26 Mr
- 5180 Taxes for construction of drains to be paid in not over four [formerly 6] annual instalments; share assessed to townships to be paid 1st year if not over 1-2% of total valuation; otherwise in equal annual instalments of not over 1-2% of total valuation. Amending C.L.'97 §4341, 4355. Mich. 200, 3 Je
- 5181 Village council may appropriate \$500 from liquor license fund for dams and ditches and protect against high water. Minn. 76, 22 Mr
- 5182 Establishing drainage commission consisting of governor, auditor, and secretary of state; duties; may condemn land. Minn. 90, 27 Mr
- 5183 County commissioners on petition and after hearing may construct drain and assess cost on land benefited; procedure. 17p. Minn. 258, 11 Ap
- 5184 In draining swamp lands, viewers fees \$2 [formerly \$3] a day; county clerk fees 5 [formerly 3] cents for filing each paper, 25 [formerly 20] cents for issuing subpoena; county clerk also allowed to retain fees under R.S.'99 §3266. Amending '99 p.278 §32. Mo. p.201, 20 Mr
- 5185 Amending '60 ch.888 relating to drainage of swamps, marshes and wet lands. N. Y. 523, 24 Ap
- 5186 Beneficiaries not members of drainage corporation exempt from charges for salary or per diem of officers in assessment. Amending '89 ch.380. N. C. 670, 14 Mr
- 5187 Attorneys' fees and costs to be allowed to defendants in actions to enjoin drainage proceedings or collection of assessments, if action is dismissed. N. D. 25, 8 Mr
- 5188 Drainage bonds to be paid in not under 3 and not over 7 years [formerly not over 20 years] from date; any landowner may pay entire assessment. Amending R.C.'99 §1474. N. D. 39, 12 Mr
- 5189 Ratification by legislature of constitutional amendment empowering general assembly to provide for condemnation of lands for drainage purposes and assessment of lands drained. Adopted November 1900. S. C. 352, 8 F
- 5190 Question of establishment and maintenance of public drains to be submitted to voters on petition of 5% of electors. S. D. 202, 9 Mr



- 5191** Establishment and construction of drains; county commissioners to act on petition of 1 or more landowners to be benefited; county surveyor to lay out drain and apportion benefits; ditch supervisor to be appointed in district to construct; term 1 year; condemnation; collection of taxes. **Wash.** 66, 8 Mr
- 5192** Amending '95 ch.115 by providing for assessment of land omitted from drainage district; procedure. **Wash.** 86, 16 Mr
- 5193** Lands benefited by diking system and omitted from assessment district may be included by petition of diking commissioners to superior court; procedure; appeals to supreme court. **Wash.** 111, 16 Mr
- 5194** Amending law of drainage districts; judgment against petitioners; revision of order of confirmation; assessment of benefits; construction of drain law. Amending S.'98 §1379—13-31. **Wis.** 43, 11 Mr
- 5195** Petition for drainage district to contain *general* description of starting point, route and terminus; petition not to be declared void; may be amended by permission of court. Amending S.'98 §1379—11. **Wis.** 50, 13 Mr
- 5196** Ditches in use 3 years to be taken as legal drains. **Wis.** 157, 9 Ap
- 5197** Town board may straighten or alter course of drain. Amending S.'98 §1363. **Wis.** 318, 8 My
- 5198** Amending S.'98 ch. 54 concerning application for drains wholly or partly in incorporated villages. **Wis.** 386, 13 My
- Irrigation. Water rights**
- 5199** General and miscellaneous. Amending '97 ch.254 as to notice of election to authorize refunding bonds of irrigation districts. **Cal.** 159, 16 Mr
- 5200** Board of directors of irrigation districts may change election precincts; may lease system of canals to highest bidder; notice to be published. Amending '97 ch.189. **Cal.** 269, 28 Mr
- 5201** Misdemeanor to interfere with adjusted headgate of *ditch* or *measuring device*; *justices of peace* to have *jurisdiction*; *appeal*. Amending '79 p.94. **Col.** 86, 20 Ap
- 5202** Amending '99 p.408 relating to irrigation and providing for right of way for canals, reservoirs or other irrigation works. 10p. **Id.** p.191, 18 Mr
- 5203** Irrigation districts may comprise contiguous territory in 2 or more counties; to be under control of commissioners and officers of county in which greater part of district is located; regulations. Supplementing '91 ch.133 §7. **Kan.** 234, 1 Mr
- 5204** Resolution requesting attorney general to institute proceedings to protect rights of state and citizens against damages due to diversion of waters of Arkansas river by Colorado. **Kan.** 425
- 5205** Assessors of irrigation districts to assess real property *and leasehold estates in state lands*; assessments lien against property *and leaseholds*. Amending C.S.'99 ch.93A art.3 §16, 20. **Neb.** 76, 26 Mr

- 5206 Amending C.S.'99 ch.93a art.3 §19, 21 as to assessments for district bonds and general funds of irrigation districts and payment of bonds by county treasurer. Neb. 77, 27 Mr
- 5207 Appeal from decision of justice of peace in cases of conviction for obstruction of irrigating ditches may be made only when fine is \$3 or less and when accrued costs have been paid. Amending C.L.'97 ch.1 §16. N. M. 22, 12 Mr
- 5208 Amending C.L.'97 §1876 as to services of Indians in working acequias and rights in distribution of water in pueblos. N. M. 29, 16 Mr
- 5209 Regulating condemnation proceedings by irrigating companies. Amending '91 p.54. Or. p.136, 25 F
- 5210 Submitting constitutional amendment empowering legislature to exempt from taxation irrigating reservoirs and pipes. *Adopted November 1900.* U. '99 (not printed in session laws)
- 5211 Persons owning or operating ditches for irrigating purposes to place measuring box therein. Wash. 30, 28 F
- 5212 Misdemeanor to interfere with headgates or measuring boxes. Wash. 36, 28 F
- 5213 Unlawful to allow water to flow from artesian wells in irrigation districts between Oct. 1 and Ap. 1; wells to be capped; water may be used for domestic purposes; penalty \$200. Wash. 121, 16 Mr
- 5214 Forbidding waste of water from artesian wells to injury of other wells in vicinity; owners wasting water liable for damages. Wis. 354, 13 My
- 5215 Owners of irrigating canal to build and maintain bridge for 1 year; thereafter to be maintained by county. Amending R.S.'99 §1959. Wy. 21, 13 F
- 5216 Repealing R.S.'99 §1968-72 relating to obstructing water courses. Wy. 42, 14 F
- 5217 \$1000 fine for rafting logs or lumber so as to obstruct flow of water from stream into irrigating canal. Wy. 78, 16 F
- 5218 State supervision. Prescribing duties of state engineer and superintendents of irrigation in relation to irrigating ditches and water rights. Col. 85, 13 Ap
- 5219 Providing for measurement of streams, survey of reservoir sites, determination of irrigation possibilities and methods of utilizing state water resources in cooperation with U. S. geological survey, department of agriculture, and state experiment station; \$4000 appropriated; creating state board of irrigation; reports. Nev. 59, 16 Mr
- 5220 Repealing '91 ch.76 creating state superintendent of irrigation and forestry. N. D. 176, 20 F
- 5221 Creating reservoir fund by appropriating \$500,000 from moneys received from sale of arid lands; state board of land commissioners to select sites for reservoirs; state engineer to prepare plans and supervise construction. U. 59, 14 Mr

- 5222 Governor and senate to appoint state engineer; term 4 years; salary \$2000; may employ assistants to amount of \$1000 annually; duties to study water system of state and estimate capacity of streams for irrigation supply; board of commissioners to create water districts and appoint water commissioners. Repealing R.S.'98 t.63 ch.8. U. 125, 25
- 5223 Local works. On petition of 50 electors and freeholders, board of supervisors in counties of \$8,000,000 valuation to request district judge to appoint 5 water storage commissioners for 1 year at \$5 a day and traveling expenses; duties; tax of 1½ mills for water storage fund. Ari. R.S.'01 p.1474, 20
- 5224 Organization of irrigation districts; election of officers; construction of canals and reservoirs; regulations. 31p. Cal. 87, 12
- 5225 Irrigation districts may issue bonds for building or buying irrigation works not over \$10 [formerly \$1] an acre. Amending ch.133 art.7 §9. Kan. 71, 5
- 5226 Cities and towns under 20,000 may construct irrigation works and levy tax by district or entire city. Wash. 117, 16
- 5227 Forbidding appropriation of water for irrigation when denied by water commissioner. Amending R.S.'99 §971. Wy. 86, 19
- 5228 Water commissioner to prevent waste by closing or partial closing of headgates in district. Amending R.S.'99 §891, 894. Wy. 102, 19
- 5229 Companies. Board of supervisors in fixing water rates of irrigation companies to designate portion of rates for expenses and profits respectively. Amending '85 ch.115. Cal. 62, 28
- 5230 Owner or manager of reservoir located on stream to put flume or measuring device above and below; penalties for refusal. Amending R.S.'99 §930. Wy. 92, 19
- 5231 Water rights. Any person may appropriate unappropriated flood waters for beneficial use for irrigation, mining or manufacturing purposes, subject to existing rights [formerly for delivery to consumers, rental, or other beneficial purpose]; owners of aqueducts for irrigating purposes [formerly for purpose of letting same or selling water] not to contract to deliver more water than aqueducts will carry. Amending R.S.'01 §4169-72, 4202. Ari. R.S.'01 p.1483, 21
- 5232 Right to use unappropriated water from any source and running river water may be acquired by appropriation. Amending C.C. §1880. Mon. p.152, 16
- 5233 Water rights for irrigation purposes may be acquired by appropriation; procedure; manner of measuring water; rights; obligations; penalties; register of deeds to keep records. N. D. 212, 8
- 5234 At direction of court or on written request of 3 interested persons sheriff to enforce decree of court fixing irrigation rights. Wash. 33, 28
- 5235 Regulating adjudication of water rights by state board of control; person claiming right to water to submit proof within year; decrees of board may be reopened; procedure. Wy. 67, 16

- 5236 Lessee of state lands who builds reservoir or digs well from which water is distributed to have preferred claim to renewal of lease for 5 years. Wy. 82, 19 F
- 5237 Amending R.S.'99 §865 relating to testimony to be taken by state board of control in adjudication of water rights. Wy. 87, 19 F

**Fertilizers**

- 5238 State chemist and assistant to be inspectors of fertilizers under direction of commissioner of agriculture; to analyze fertilizers sold in state; labels required; fees; regulations; expenses not over \$750 a year. Fla. 99, 22 My
- 5239 Regulating manufacture and sale of fertilizers; statement to be filed with state chemist; label to be furnished; penalty \$50. Amending R.S.'81 §4894-97. Ind. 184, 11 Mr
- 5240 Regulating sale of fertilizers; analysis; exemption. N. H. 43, 28 F
- 5241 Regulating inspection and sale of fertilizers; tax of 20c a ton; publication of analysis; regulations. N. C. 479, 9 Mr
- 5242 Regulating sale of fertilizers; packages to contain analysis showing percentage of nitrogen in form of potash, and phosphoric acid; affidavit of sales to be filed with secretary of agriculture; fees; manufacturers to file copy of analysis; secretary to execute law; penalties. Pa. 24, 25 Mr
- 5243 Sellers of commercial fertilizers to file sworn statement of contents, weight and brand with director of state experiment station, who shall issue certificate authorizing sale for current year and furnish labels for each package; regulations. Repealing '91 ch.72. W. Va. 97, 9 F

**Horticulture. Hindrances to crops****Horticulture—diseases and pests**

- 5244 State supervision. General regulation. Citrus fruitshippers to brand packages showing county where grown; governor to appoint inspector to enforce law. Cal. 224, 23 Mr
- 5245 Board of control of agricultural experiment station at New Haven to appoint state entomologist to serve during pleasure of board; no compensation except salary as member of staff; deputies; duties; imported nursery stock to bear certificate of inspection; annual inspection of nurseries; \$3000 annually. Ct. 122, 10 Je
- 5246 State board of agriculture may require fruitgrowers to mark fruit for shipment; penalty. Amending '99 ch.216 §22. Del. 101, 9 Mr
- 5247 On petition of majority of fruitgrowers, county commissioners may create board of commissioners for protection of groves, orchards and vineyards from injurious insects and fungus diseases; 10 to 20 members; may appoint inspectors and adopt regulations; expenses to be assessed on fruitgrowers benefited. Fla. 75, 31 My

- 5248 \$3500 [formerly \$1000] annually for expenses of department of horticulture and pomology; board of agriculture may employ necessary assistants to entomologist. Amending '98 p.94.  
Ga. p.89, 21 D 00
- 5249 To prevent dissemination of insect pests and infectious diseases injurious to nursery stock; shipments to bear certificate of inspection by entomologist of exporting state. Mo. p.134, 12 Mr
- 5250 Inspector of fruit pests may disinfect or destroy suspected material; *special inspectors of fruit on sale; quarantine stations for nursery stock; fees for inspection.* Amending '99 p.36.  
Mon. p.52, 14 Mr
- 5251 Transportation companies bringing nursery stock into state to notify commissioner of agriculture on receipt of consignment. Amending '98 ch.338 §83. N. Y. 417, 18 Ap
- 5252 Governor to appoint state bacteriologist to serve without salary; to investigate animal and plant diseases and recommend remedies. Or. p.295, 27 F
- 5253 Protection of nursery stock from San José scale and other pests; secretary of agriculture to examine nurseries annually; may examine stock shipped into state and destroy infected trees; regulations. Pa. 257, 10 Je
- 5254 Trustees of Clemson college to appoint 3 members biennially as state board of entomology; powers; may appoint entomologist as inspector of trees, plants, vineyards and nursery stocks; certificates of inspection; penalty; compensation. S. C. 396, 19 F
- 5255 Trustees of state university to appoint state entomologist; unlawful to grow, sell or transport plants without certificate from entomologist that they are free from disease; examination of greenhouses, nurseries and floral premises; regulations. Tenn. 40, 20 Ap
- 5256 Governor [formerly trustees of state university] to appoint state entomologist; fees over \$1500 to be paid to department of agriculture. Amending '01 ch.40. Tenn. 168, 22 Ap
- 5257 State board of horticulture to import and distribute birds known as German kohl melsen; \$500. U. 36, 13 Mr
- 5258 \$2000 for extermination of San José scale; to be expended under direction of state board of horticulture. U. 76, 14 Mr
- 5259 4000 copies of biennial report of state board of horticulture to be printed. U. 88, 14 Mr
- 5260 Director of state agricultural experiment station to appoint person to devise means of preventing introduction and spread of the San José scale and other plant diseases and insects; inspection of nursery stock; examination of orchards; regulations; annual report. W. Va. 33, 19 F
- 5261 Poisons. To prevent fraud in sale of paris green; percentage of arsenic to be determined by director of experiment station, 50% of arsenious oxid required. Cal. 53, 28 F

- 5262 Misdemeanor to sell for spraying purposes paris green containing under 50%, or commercial arsenic containing under 96% of arsenic trioxid; adulterated poisons not to be sold.  
Wash. 22, 26 F

**Weeds**

- 5263 Misdemeanor to allow or encourage growth of ox-eyed daisy.  
Minn. 51, 14 Mr
- 5264 Misdemeanor to import, sell or give away Johnson grass.  
Tenn. 1, 5 F
- 5265 Railroads not to permit Johnson grass or Russian thistle to go to seed along right of way.  
Tex. 117, 18 Ap
- 5266 Extending S.'98 §1480 so as to include wild barley among noxious weeds required to be destroyed.  
Wis. 234, 27 Ap
- 5267 Amending S.'98 §1480, 1480b relating to destruction of weeds; wild barley to be destroyed; duties of commissioner.  
Wis. 424, 14 My

**Noxious animals. Bounties**

- 5268 Claimants for bounty on coyote scalps may bring suit; attorney general to defend.  
Cal. 214, 23 Mr
- 5269 Transferring stock brand fund to bounty fund for wolves, coyotes and mountain lions.  
Col. 76, 1 Ap
- 5270 Bounty of \$1 for killing wild fox; skin to be delivered to town treasurer with skull attached; skull to be removed by treasurer and skin returned.  
Ct. 75, 29 My
- 5271 County commissioners to pay \$1.50 bounty for killing coyote, lynx or wildcat; regulations; penalty; tax levy of 1c a head on sheep.  
Id. p.205, 11 Mr
- 5272 Township auditing board may take measures to have prairie dogs and gophers destroyed; state agricultural college may appoint person to conduct experiments; \$5000.  
Kan. 273, 12 F
- 5273 Damages to domestic animals by wild animals to be paid out of municipal treasury. Supplementing '93 ch.287. Me. 178, 13 Mr
- 5274 Repealing R.S.'83 ch.30 providing bounty on wildcats.  
Me. 207, 19 Mr
- 5275 Repealing C.L.'97 §5586-89 providing bounties for killing English sparrows.  
Mich. 241, 8 Je
- 5276 Bounty on female wolves January to May \$15 [formerly \$7]; on female cubs \$4 [formerly \$3]; on male cubs \$2 [formerly \$3]; penalty for claiming reward on tame wolves. Amending '99 ch.146.  
Minn. 32, 11 Mr
- 5277 Bounties on wild animals: grown wolf \$5; wolf pup and grown or pup coyote \$5 [formerly \$2]; mountain lion \$7; 3 mill tax on cattle, sheep, horses, mules and asses for state bounty fund. Amending P.C. §3070, 3076 as amended by '99 p.100.  
Mon. p.129, 2 Mr
- 5278 County commissioners may levy special tax on stock not over 2 [formerly one half] mills on assessed valuation for bounties for killing wild animals; \$2 [formerly \$1] for coyote or wildcat; \$20 [formerly \$5] for gray wolf, panther or mountain lion; \$10 [formerly \$7] for bear. Amending '99 ch.38 §1.  
N. M. 10, 27 F

- 5279 Tax for extermination of gophers not over  $\frac{1}{4}$  [formerly 2] mil  
Amending R.C.'99 §1322. N. D. 107, 8 1
- 5280 Repealing R.C.'99 §1570 a, e, f, h as to state wolf bounty; spec  
tax to be levied to pay amount of outstanding certificates.  
N. D. 167, 12 1
- 5281 County commissioners [formerly on petition of 25 stockraiser  
to offer bounty of \$2 [formerly \$1 to \$3] on wolves and coyote  
Amending R.C.'99 §1566. N. D. 215, 12 1
- 5282 County commissioners may offer bounty of \$5 to \$20 for buffa  
and timber wolves; fraud to be prevented according to R.C.'  
§1570b-d. N. D. 216, 7 1
- 5283 1 mill tax on property for 1900 for payment of warrants draw  
for bounties on coyotes, wildcats, mountain lions and wolves.  
Or. p.6, 30 1
- 5284 \$2 bounty on wildcat, coyote, mountain lion, panther, cougar, ar  
wolf; scalp and affidavit to be presented to county clerk; tw  
thirds bounty paid by state, one third by county.  
Or. p.148, 26
- 5285 \$5000 annually for bounties for killing of seal, sea lion, sheldrak  
shag and cormorant; scalp to be presented to fish commi  
sioner or deputy with affidavit. Or. p.156, 27
- 5286 Bounty for grown buffalo wolf or black wolf \$3; young buffal  
or black wolf under 1 year \$1; regulations. S. D. 209, 8 M
- 5287 \$5000 for governor to buy poison to distribute among counties fo  
use in destruction of ground squirrels, gophers and prairie  
dogs. U. 89, 14 M
- 5288 Bounty for killing coyote, lynx, or wildcat, \$1; for wolf, mountai  
lion or bear, \$5; scalp and affidavit to be exhibited to count  
clerk; clerk to issue certificate to state auditor; penalty  
\$10,000. U. 137, 26 M
- 5289 Person killing wolf, panther, bear, lynx, fox or rattlesnake t  
apply to town clerk within 30 [formerly 15] days for bount  
certificate. Amending '98 ch.110. Vt. 87, 20 N 0
- 5290 Bounty on wolves and cubs \$5 and \$3 respectively. Amending  
'99 ch.45. Wis. 311, 8 M
- 5291 State bounty on coyotes \$1; on wolves and mountain lions \$3  
counties may pay additional bounties; applicants to presen  
skin of animals and affidavit to county clerk; \$40,000.  
Wy. 12, 19 1

### Domestic animals

(See also Inhumanity, 133; Racing, 53; Railways—killing stock, 4528)

### Health. Inspection. Contagious diseases

- 5292 State supervision. General regulation. Salary of veterinarian  
\$1800 [formerly \$1200]; secretary live stock sanitary board \$100  
[formerly \$50] a month; repealing provision that slaughter-  
house be within 4 miles of municipality where meat is sold;  
license fees \$30 to \$150; fees for tagging 5 [formerly 25] cents  
a hide; inspectors to receive 50% to 90% of license fees, remain-  
der to go to state license and inspection fund; unlawful for

- person or common carrier* [formerly railroad company] to receive untagged hides; owners of sheep and goats to adopt earmark or brand. Amending '97 ch.6. **Ari.** R.S.'01 p.1480, 21 Mr
- 5293 Cattle may be driven or transported across district quarantine line from *November* [formerly December] 15 to Mar. 1. Amending '99 ch.45. **Ark.** 13, 16 F
- 5294 Amending '99 ch.45 as to location of district cattle quarantine line. **Ark.** 59, 22 Mr
- 5295 Animals dying from infectious or contagious diseases to be cremated or buried 3 feet deep; penalty. **Id.** p.24, 11 Mr
- 5296 Amending G.S.'97 §139, 142 relating to inspection of cattle and powers of live stock sanitary commission. **Kan.** 101, 28 F
- 5297 Free traffic in domestic animals not to be prohibited except for contagious disease or exposure to it. Amending '97 ch.233. **Minn.** 179, 9 Ap
- 5298 Providing for appraisal of and compensation for animals killed because of contagious disease. Amending '97 ch.233 §5, 12. **Minn.** 322, 13 Ap
- 5299 Veterinary surgeon may appoint 1 [formerly not over 4] deputy at \$5 a day *and traveling expenses*. Amending P.C. §3018. **Mon.** p.129, 16 Mr
- 5300 Misdemeanor to slaughter or sell for food cattle with big jaw or other disease. **Mon.** p.163, 9 Mr
- 5301 General revision of C.S.'95 ch.4 art.2 as to state veterinarian; governor to be state veterinarian and to appoint deputy for 2 years at \$1500; powers and duties. **Neb.** 6, 30 Mr
- 5302 Repealing '99 ch.90 providing for appointment of state live stock inspector. **Nev.** 42, 12 Mr
- 5303 Cattle sanitary board inspectors to inspect and release horses, mules and asses before removal from territory; fees; penalties. **N. M.** 42, 18 Mr
- 5304 Amending '93 ch.338 by providing detailed regulations for suppression of contagious diseases of domestic animals. **N. Y.** 321, 11 Ap
- 5305 County commissioners may build dipping tanks at shipping points to prevent contagious diseases among live stock. **N. D.** 69, 13 Mr
- 5306 On petition of 10% of voters county commissioners may appoint sheriff live stock inspector; duties; compensation. **N. D.** 121, 12 Mr
- 5307 Governor to appoint live stock sanitary commission [formerly ex-officio members of agricultural and mechanical board of regents] of 3 members; term 2 years; qualifications and salary of members; secretary to be executive officer; one inspector to be veterinarian; meetings may last 30 [formerly 12] days; quarantine lines; inspection. **Okl.** 26, 7 Mr
- 5308 Governor to appoint state bacteriologist to serve without salary; to investigate animal and plant diseases and recommend remedies. **Or.** p.295, 27 F



- 5309 Carcasses of domestic animals dead of contagious, infectious or parasitic diseases to be destroyed by burning, boiling or burying in lime; penalty; state live stock sanitary board to enforce law; costs to be lien on owners. Pa. 88, 2 My
- 5310 \$10,000 for live stock sanitary commission to investigate diseases of domestic animals. Pa. 413, 18 Jl
- 5311 Trustees of Clemson college may make regulations for veterinarian in treatment or destruction of animals affected with contagious diseases; powers of veterinarian; misdemeanor to sell affected stock; penalty. S. C. 425, 19 F
- 5312 Salary of state veterinary surgeon \$1200 [formerly \$2500]. Amending C.L.'87 §2333. S. D. 207, 28 F
- 5313 Commissioner of agriculture to appoint state live stock inspector; salary \$1500; term 2 years; inspector to make and enforce regulations for prevention of contagious diseases of animals; may appoint 3 deputy inspectors at \$75 a month subject to approval of bureau of agriculture. Tenn. 132, 16 Ap
- 5314 Owners to report communicable diseases of domestic animals to county health officers who shall establish quarantine and report to state inspector; state officers to cooperate with federal authorities in establishing interstate quarantine lines; county health board may appoint live stock inspector; regulations. Repealing '99 ch.424 and amending '97 ch.46. Tenn. 156, 20 Ap
- 5315 Allowing indemnity for imported animals killed by order of board of agriculture within 6 months if examined at time of importation. Amending S.'94 §4815. Vt. 96, 22 N 00
- 5316 State veterinarian to inspect cattle and quarantine or destroy animals affected with contagious or infectious diseases. Amending '96 ch.167. Wash. 112, 16 Mr
- 5317 Secretary of board of agriculture to provide for inspection of herds and issue certificates; infected animals may be quarantined or killed; owner to be compensated. W. Va. 21, 21 F
- 5318 State board of agriculture to elect 3 of their number live stock sanitary board; term 3 years; fees \$3 a day and expenses; to protect health of domestic animals; may establish quarantine, slaughter diseased animals, prohibit importation; payment of claims. Wis. 440, 15 My
- 5319 Tuberculosis. \$10,080.33 for full value of cattle slaughtered in pursuance of tuberculin test. Ill. p.15, 11 My
- 5320 Cattle killed because of tuberculosis to be paid for if proof furnished board of cattle commissioners that animals were free from disease when brought into state. Amending '99 ch.408 §8. Mass. 252, 4 Ap
- 5321 \$15,000 [formerly \$10,000] may be appropriated to state tuberculosis commission for expenses and animals killed. Amending '98 ch.148. N. J. 80, 20 Mr
- 5322 Sheep. Governor to establish quarantine against diseased sheep; regulations; cost of deporting to be lien on sheep; penalty. Id. p.25, 1 Mr

- 5323 Governor to appoint sheep inspector; salary \$1200; term 2 years; district deputy inspectors; \$5000 bonds; regulating spread of diseases of sheep; deputy's salary \$5 a day; annual reports to state inspector; ownership; penalties. Repealing '99 p.352.  
Id. p.142, 7 Mr
- 5324 Amending Crim.C. §75, 78 as to penalty for selling diseased sheep or allowing to run at large or taking and using animals without leave. Neb. 95, 29 Mr
- 5325 Board of county commissioners to appoint inspector of sheep *annually* [formerly upon petition of 2 sheepowners] for each county. Amending '93 ch.44. Nev. 55, 14 Mr
- 5326 Supplementing '93 ch.44 relative to prevention of contagious diseases among sheep; inspector to collect fees; to be notified of presence of sheep from other states; infected sheep to be dipped twice at intervals; duty of inspector. Nev. 101, 21 Mr
- 5327 Sheep inspectors to be given 5 days notice by persons bringing sheep into county for grazing; sheep to be quarantined not less than 20 days after dipping. Amending R.C.'99 §1636, 1636a.  
N. D. 182, 12 Mr
- 5328 Misdemeanor to import or sell carcasses of lamb or sheep with hoofs on. Pa. 287, 20 Je
- 5329 Revision of law concerning sheep inspector; to be appointed by county commissioners for 2 years; fees \$5 a day; to quarantine districts containing diseased sheep; minute regulations to prevent spread of disease. Repealing '88 ch.116; '97 ch.26.  
Wash. 76, 16 Mr
- 5330 Hogs. Carcasses of swine dying from disease to be burned or buried 18 inches deep within 24 hours; misdemeanor to convey carcasses on public road, sell, receive or use. Amending C.S.'99 ch.4 art.1 §60-61c. Neb. 5, 30 Mr
- 5331 Peace officers to arrest persons unlawfully transporting diseased swine; to receive one half fine or \$10. S. D. 196, 4 Mr
- 5332 Horses. Horses leaving state to have certificate of inspection at place of shipment; duplicate to be deposited with agent of railroad who must indorse date of receipt on original; fee of inspector. Amending '99 p.95. Mon. p.93, 11 Mr
- 5333 Bees. County inspector of apiaries to be appointed by board of supervisors on petition of 10 freeholders owning apiaries and alleging foul brood or other disease. Repealing '83 ch.58.  
Cal. 24, 20 F
- 5334 Dairy and food commissioner to appoint inspector of apiaries on recommendation of Michigan state beekeepers association; inspector to examine apiary on request of owner or 3 disinterested taxpayers; may burn colonies and combs containing foul brood; \$500. Repealing C.L.'97 §5663-70. Mich. 66, 18 Ap
- 5335 Board of county commissioners to appoint inspector of apiaries who shall inspect and have destroyed hives infected with foul brood; compensation; owners to destroy infected hives.  
Nev. 37, 6 Mr

- 5336 Veterinary practice.** Veterinarians to register with county clerks and pay annual license fee of \$10. Del. 22, 9 Mr
- 5337 Revision of law as to state veterinarian;** to be appointed by governor; term 4 years; salary determined and accounts audited by governor, auditor and treasurer; to protect health of domestic animals, investigate and quarantine contagious diseases; may appoint assistants. Repealing '89 ch.212. Ind. 64, 6 Mr
- 5338 Defining veterinary surgery and regulating practice;** to be graduates of veterinary college or practitioners of 5 years experience; evidence of qualifications to be filed with county clerk; persons with degree from veterinary college exempt from jury duty. Ind. 189, 11 Mr
- 5339 On establishing residence veterinary surgeons of 5 years practice** licensed in another state may take examination to practise in state. Minn. 291, 13 Ap
- 5340 Governor to appoint 3 examiners of veterinary surgeons;** term 3 years; misdemeanor to use unlawfully title veterinary surgeon or V. S.; regulations. N. H. 59, 7 Mr
- 5341 Citizen who received degree from veterinary school before Jan. 1, 1897, or person engaged in practice before 1886 to be admitted to veterinary examination.** Amending '96 ch.840. N. Y. 231, 2 Ap
- Running. Impounding. Fences**
- 5342 Running at large. Estrays. Damages. Impounding. Stock running at large in fencing districts may be impounded;** charges and damages; regulations. Amending '97 ch.28. Ark. 8, 12 F
- 5343 Misdemeanor to allow stock to run at large in fencing district.** Ark. 155, 23 My
- 5344 Cities and incorporated towns may prohibit stock running at large in corporate limits.** Amending '99 ch.122. Ark. 172, 23 My
- 5345 Owner of stray hogs taken up may prove property within 3 months; on failure person taking up to pay county one half appraised value deducting legal expenses.** Amending S.'94 §7249. Ark. 204, 23 My
- 5346 Revising law as to estrays; lien for expenses; notice; sale of unclaimed animals.** Cal. 197, 23 Mr
- 5347 Amending G.S.'85-ch.52 §83 relating to sale of mavericks.** Col. 102, 29 Ap
- 5348 Repealing R.S.'92 §2053-54 as to sale of unmarked and unknown cattle gathered from range.** Fla. 101, 31 My
- 5349 Impounded animals may be redeemed by giving bond for damages and costs.** Amending C.C.'95 §1775. Ga. p.45, 13 D 00
- 5350 Amending R.S. §1365 regulating sale of estrays; branding.** Id. p.88, 7 Mr
- 5351 Misdemeanor to allow stock to run at large in unincorporated towns over 500 from Sep. 1 to Ap. 1.** Id. p.158, 18 Mr
- 5352 Misdemeanor to drive, range or graze stock along or across public highways or ditches.** Id. p.185, 12 Mr

- 5353 Misdemeanor for persons other than owner or agent to drive domestic animals farther from customary range than nearest corral; penalty. Kan. 253, 5 Mr
- 5354 Live stock not to be pastured on public streets in village. Minn. 82, 26 Mr
- 5355 3 days notice in writing unnecessary when owner of restrained animals has been informed and injured persons can not agree on amount of damages. Amending R.S.'99 §4777. Mo. p.45, 9 Mr
- 5356 In cities of 3000 to 30,000 council may restrain *ducks, chickens and turkeys* from running at large. Amending R.S.'99 §5836. Mo. p.62, 1 Mr
- 5357 Person finding strays on his land from Dec. 15 to Ap. 15 to file notice with county clerk within 5 days. Amending R.S.'99 §10137. Mo. p.251, 19 Mr
- 5358 Stock commissioners to publish in newspaper of Helena and of Billings descriptive list of stray cattle and horses sold and proceeds unclaimed. Mon. p.128, 2 Mr
- 5359 Sheriff or constable to notify owner of male animal caught running at large and sell animal at auction if not claimed in 10 days; 20 days notice of sale in newspaper or by posting; owner liable for damages; may claim proceeds of sale within year. Amending C.S.'99 ch.4 §4. Neb. 3, 30 Mr
- 5360 Repealing '97 ch.54 authorizing destruction of wild unbranded horses running at large. Nev. 4, 18 F
- 5361 Unlawful to herd sheep on unoccupied land within 3 miles of community of 50 or more persons. Nev. 26, 2 Mr
- 5362 Sheriff to impound stray animals. Amending '85 ch.66. Nev. 35, 6 Mr
- 5363 Misdemeanor to allow cattle, horses and other animals to trespass on lands or water rights. N. M. 28, 16 Mr
- 5364 Municipal corporations may regulate or prohibit running at large of animals. N. M. 31, 16 Mr
- 5365 In counties where unincorporated county seat has over 3000 inhabitants, commissioners may maintain public pound; duties of police; sale of animals impounded; rights of citizens. N. M. 47, 19 Mr
- 5366 Misdemeanor to permit hogs to run at large in cities, towns or villages; penalty. N. M. 54, 19 Mr
- 5367 Amending '01 ch.28 §1 as to serving personal written notice of trespass of animals on private lands. N. M. 75, 21 Mr
- 5368 Owners of animals liable for damages to fields sown with grain; duties of justice of peace. Repealing C.L.'97 §145-51. N. M. 92, 21 Mr
- 5369 County commissioners may abolish provisions of law making it lawful for stock to run at large from *December* [formerly November] 1 to Ap. 1; question to be approved by people at next general election. Amending R.C.'99 §1549. N. D. 123, 5 Mr

- 5370 \$100 fine or 6 months imprisonment for taking up, keeping and using strays without giving legal notice. Amending Hill's Ann.L. §3382. Or. p.310, 28 F
- 5371 County commissioners to establish or discontinue pounds in unorganized townships on petition of majority of electors; regulations. Amending C.L.'87 §826-28. S. D. 203, 12 F
- 5372 Live stock not to run at large in counties of 72,000 [formerly 59,000]. Amending '99 ch.23. Tenn. 114, 28 Mr
- 5373 Misdemeanor to take up live stock or allow to remain on inclosed lands over 10 days without posting notice; larceny to kill, sell or conceal stock taken up. Tenn. 119, 2 Ap
- 5374 Agreements for common inclosures may be terminated by mutual consent [formerly or 4 months notice]. Amending '97 ch.48. Tenn. 161, 20 Ap
- 5375 Poundkeeper to advertise estrays within 3 days in newspaper published in county. Amending R.S.'98 §15. U. 100, 14 Mr
- 5376 Fences need not be removed between *October* [formerly November] 1 and Ap. 1. Amending S.'98 §1337. Wis. 219, 26 Ap
- 5377 Fences. Any one of several persons occupying or cultivating lands under common [formerly common lawful] fence who turns stock into such inclosure without consent of all parties concerned to be fined. Amending C.'96 §5614. Ala. p.82, 13 D 00
- 5378 Misdemeanor to fail to close gates found open in fencing districts. Amending S.'94 §1202. Ark. 153, 23 My
- 5379 Repealing provision in G.S.'88 §2281 that owner of lands heretofore thrown open to commons must erect half of divisional fence if required by adjoining owner. Ct. 105, 29 My
- 5380 Amount recovered by aggrieved person for failure of defendant to maintain fence assigned him by fence-viewers to be lien against land. Amending G.S.'97 ch.153 §13. Kan. 218, 5 Mr
- 5381 Misdemeanor to injure stone wall or fence. Mass. 298, 16 Ap
- 5382 Certain natural obstructions to be stock law fence when so declared by county commissioners. N. C. 542, 11 Mr
- 5383 Amending R.S.'95 §4998 defining lawful fence for stock. Tex. 123, 19 Ap
- 5384 Division hedge fences not to project more than 18 inches over dividing line. W. Va. 6, 22 F
- 5385 Wire fences. Barbed wire fences not repaired by owner after notice to be sold and proceeds above cost of selling and advertising to go to general county funds unless claimed within year. Fla. 53, 29 My
- 5386 Repealing provision in R.S.'92 §875, 877 that wire fence shall have plank or board at top or upper wire provided with wooden or metal tablet. Fla. 154, 28 My
- 5387 Amending R.S. §1301 relating to lawful wire fences. Id. p.207, 14 Mr
- 5388 Standard woven wire fencing 3 feet high on posts not over 35 feet apart is a legal fence. Amending P.C. §3250. Mon. p.139, 16 Mr

**Ownership. Sale. Miscellaneous**

- 5389 Branding.** Misdemeanor to change brand on domestic animals with malicious intent. Adding §357½ to Pen.C.  
Cal. 151, 16 Mr
- 5390** Felony to mark, brand, or deface or change brand of domestic animals with intent to steal. Amending Pen.C. §357.  
Cal. 153, 16 Mr
- 5391** County commissioners on petition of majority of voters may appoint brand inspectors to inspect stock for shipment; duties; bond; penalty for violation by railroads. Kan. 87, 2 Mr
- 5392** On petition of majority of voters county commissioners to require persons who slaughter cattle to keep record of marks and brands and file copy with county clerk, to keep hide 10 days and exhibit on demand; penalty. Kan. 351, 6 Mr
- 5393** \$2 fee for recording brands. Amending P.C. §2941.  
Mon. p.127, 11 Mr
- 5394** Secretary of state to keep records of live stock brands; regulations. Amending C.S.'97 ch.51; '99 ch.50. Neb. 44, 29 Mr
- 5395** Limiting size and shape of marks on ears of stock. Amending '73 ch.39. Nev. 5, 18 F
- 5396** Misdemeanor to kill unbranded or freshly branded cattle with foreign brand; disposition of fines. Amending C.L.'97 §125.  
N. M. 102, 21 Mr
- 5397** *Commissioner of agriculture and labor* [formerly secretary of state] to keep record of marks and brands; regulations. Amending R.C.'90 §1536-38, 1542-43. N. D. 124, 11 F
- 5398** Forbidding mutilation or destruction of hides of cattle.  
Or. p.372, 28 F
- 5399** Fee for recording live stock brands \$2.50 [formerly \$1.50]; members of brand committee absent from meetings forfeit to commission. Amending '97 ch.90 §3. S. D. 66, 11 Mr
- 5400** Recorder of marks and brands on animals to sell copies of book containing record; board of examiners may let out printing and binding of record of marks and brands and allow sale. Amending R.S.'98 §45. U. 63, 14 Mr
- 5401** State auditor to distribute annually to county clerks book containing record of marks and brands on animals. Amending R.S.'98 §40. U. 64, 14 Mr
- 5402** **Stealing. Abandoning.** (*See also Larceny. 2870*) Misdemeanor for butchers not to notify nearest beef inspector *in county, and show hides of beeves butchered*; felony to butcher without lawful authority; persons butchering for their own use exempt. Amending '91 ch.39 §3, 5. Fla. 93, 30 My
- 5403** Persons slaughtering cattle or selling slaughtered cattle to keep hides for inspection; buyers of hides to keep record showing from whom bought; penalty. Neb. 45, 21 F
- 5404** Freshly branded live stock not to be confined or herded; colts and calves not to be separated from mothers; penalties; exceptions.  
N. M. 23, 12 Mr; 66, 20 Mr
- 5405** Misdemeanor to sell beef and fail to expose hide to purchaser on demand; penalty. N. D. 31, 13 Mr

- 5406 Horses about to be driven or shipped out of state to be inspected by sheriff; fee 15c for each horse; to be paid by owners; railroads forbidden to ship till furnished with certificate of inspection; penalties. **Wy. 79, 18 F**
- 5407 Commercial feed for stock. Cotton seed meal offered for sale to have attached guaranteed analysis; state chemist to analyze samples submitted by commissioner of agriculture or consumers; penalty. **Ala. p.190, 4 Mr**
- 5408 Regulating sale of concentrated commercial feeding stuffs; license fee; adulterations; secretary of board of agriculture to analyze samples and enforce law. **N. H. 35, 27 F**
- 5409 Defining concentrated commercial feeding stuffs; requiring certificate of weight, material and name of maker on each package; forbidding adulteration; statement to be filed with secretary of agriculture; secretary of agriculture to enforce law; penalties; jurisdiction of magistrates. **Pa. 78, 25 Ap**
- 5410 Regulating sale of concentrated commercial feeding stuffs; package to be stamped with analysis; annual license fee \$25; analysis by director of experiment station; penalty. **Wis. 377, 18 My**
- 5411 Dogs. \$50 fee for kennel license; not over 50 male or 10 female dogs to be kept. **Ct. 112, 3 Je**
- 5412 Proof that dog killed sheep defense for killing or injuring dog. **Fla. 94, 22 My**
- 5413 Owner of dog liable for damages to sheep or other domestic animals. **Fla. 95, 10 My**
- 5414 Person may keep dogs for breeding purposes *within proper inclosure*; dogs not licensed or collared or *inclosed* to be killed. Amending '99 ch.33 §2, '93 ch.287 §6. **Me. 163, 1 Mr**
- 5415 Revising law taxing dogs and providing damages for sheep-killing; *assessor and collector* [formerly dog warden] to levy and collect dog tax. Repealing '99 ch.222. **Mich. 48, 8 Ap**
- 5416 Owner of dog liable for injury to moose, caribou, deer or domestic animal. Amending '99 ch.28. **N. H. 10, 14 F**
- 5417 Cities, towns and villages to collect tax of \$1 on male and \$2 on female dogs; owners' liability for damages to sheep; dangerous dogs to be killed; penalty; municipal ordinances. **N. M. 105, 21 Mr**
- 5418 Misdemeanor to permit proud bitch to run at large; person killing proud bitch at large not liable for damages. **Tenn. 22, 27 Mr**
- 5419 Town clerk not to license dog against which written complaint signed by 5 citizens has been made; clerk to notify selectmen, who shall give hearing. Amending S.'94 §4823. **Vt. 98, 17 N 00**
- 5420 Dog tax. Repealing '99 p.15 levying tax on dogs. **Ga. p.38, 13 D 00**
- 5421 \$15 forfeit for keeping unlicensed dog; to be paid to county treasurer [formerly \$5 paid to informant]. Amending P.S.'82 ch.102 §87. **Mass. 120, 7 Mr**

- 5422 Dog tax, \$1 on male, \$3 on female, to form fund from which damages to sheep may be paid. Surplus over \$2000 to go into road and bridge fund. **Minn.** 187, 9 Ap
- 5423 Dog tax \$1 annually, 50c for dogs under 6 months; list of owners of dogs to be advertised; moneys to be kept as fund for damages to sheep, lambs, domestic animals and poultry; method of securing payment for damages. **N. J.** 160, 22 Mr
- 5424 Counties may adopt dog registration law; town clerk to receive fees and issue tags; constables to seize and destroy unregistered dogs. Adding §128-36 to '92 ch.686. **N. Y.** 455, 22 Ap
- 5425 Dog tax to be applied for payment for horses, mules, cattle and swine bitten by mad dogs. Supplementing '93 ch.88. **Pa.** 43, 11 Ap
- 5426 Balance of dog tax over \$200 in treasury at end of year to be distributed to *school* [formerly county or city] funds of townships, boroughs and cities in proportion to dog tax paid during year. Amending '93 ch.88. **Pa.** 63, 23 Ap
- 5427 Misdemeanor to permit dog to run at large unless tax of \$1 has been paid within year; exceptions. **Tenn.** 50, 20 Ap
- 5428 Dogs *4* [formerly 8] weeks old on Ap. 1 to be registered and licensed; *under 4 weeks old Ap. 1 to be exempt from license till following year.* Amending S.'94 §4821. **Vt.** 97, 26 N 00

### Dairy products

(See also Foods, 4310)

- 5429 Supervision. Adulteration. Misdemeanor to render false tests as to dairy products. Adding §381a to Pen. C. **Cal.** 148, 16 Mr
- 5430 Defining adulteration of lard. Amending '91 ch.12. **Minn.** 280, 13 Ap
- 5431 Cheese shall be divided into 5 grades and stamped; box to be stamped also; stamp not required if sold outside state. Amending '97 ch.164. **Pa.** 95, 2 My
- 5432 Misdemeanor to sell dairy products containing formaldehyde or antiseptics. Amending R.S.'98 §733. **U.** 70, 14 Mr
- 5433 Dairy products not made wholly from milk or cream to be so marked in large plain letters; penalty \$100; each subsequent offense \$200. **Vt.** 68, 22 N 00
- 5434 Imitation butter. Oleomargarin. Renovated butter. Amending '95 ch.209 as to placard to be exposed on oleomargarin and butterin offered for sale. **Del.** 161, 9 Mr
- 5435 Process butter must be branded; food commissioner to enforce law. **Ill.** p.315, 24 Ap
- 5436 Misdemeanor to manufacture and sell imitation butter. **Mich.** 22, 26 Mr
- 5437 Prohibiting sale or manufacture of imitation butter. **Minn.** 78, 26 Mr
- 5438 Penalty for sale of imitation butter \$50 to \$100 [formerly \$100 to \$500] or imprisonment in *county jail* [formerly state prison] not over 60 days [formerly 1 year]. Amending '01 ch.78. **Minn.** 155, 6 Ap



- 5439 Amending R.S.'99 §4750-51 relating to deception in sale of imitation butter; penalty for violation of law \$50 for school fund in addition to fine; certificate of analysis by professor of chemistry prima facie evidence. **Mo.** p.44, 19 Mr
- 5440 Justice may issue search-warrant for oleomargarin. Amending P.S.'01 ch.251 §1. **N. H.** 87, 22 Mr
- 5441 Prohibiting sale and manufacture of oleomargarin and imitation butter, when colored; if uncolored annual license fees for manufacturer \$1000; wholesaler \$500; retailer \$100; hotel or restaurant \$50; boarding house \$10; placard to be on each table; packages to be marked; penalties; dairy and food commissioner to enforce law. **Pa.** 208, 29 My
- 5442 Regulating sale of process butter; to be known as renovated butter; annual license fees; manufacturer \$1000, wholesaler \$500, retailer \$100, hotelkeeper \$50, boarding house \$10; placards to show use of; packages to be marked; penalty. **Pa.** 327, 10 Jl
- 5443 Misdemeanor to solicit or accept orders for oleomargarin or similar product. Amending S.'98 §4607c. **Wis.** 151, 9 Ap
- 5444 Milk. Bottles for Babcock test of milk not to be used till tested and stamped. **Ct.** 119, 3 Je
- 5445 Supplementing R.S.'83 ch.3 §59 relating to city ordinances; cities may require milk dealers to be licensed. **Me.** 183, 13 Mr
- 5446 Regulating measuring and testing of milk and cream by Babcock and other methods; director of experiment station to inspect measuring and testing apparatus annually. **Mass.** 202, 26 Mr
- 5447 Dairymen delivering milk or cream in bottles to have them sealed by sealer of weights and measures. **Mass.** 360, 3 My
- 5448 Milk inspectors to secure certificates of competency from superintendent of dairy department of agricultural college; instruments to be tested. **N. H.** 106, 22 Mr
- 5449 Amending P.S.'01 ch.127 relating to inspection of milk; *boards of health* [formerly mayor and aldermen] of cities to have charge; licenses; general regulations. 4p. **N. H.** 107, 22 Mr
- 5450 When proceeds of cooperative creameries and cheese factories are allotted on basis of milk fat shown by Babcock test, bottles and pipettes used in test to be examined by director of *New York agricultural experiment station* [formerly Geneva experiment station]. Amending '93 ch.338 §23. **N. Y.** 429, 18 Ap
- 5451 Extending '97 ch.118 forbidding coloring or adulterating milk or cream and increasing penalties. **Pa.** 59, 19 Ap
- 5452 Prohibiting sale of impure milk in cities of 100,000 to 600,000; percentage of solids; vessels for sale of skimmed milk to be so marked; dairy herds to be inspected by veterinarian and tag placed on each animal; evidence that cows are healthy and well kept to be furnished board of health before license may be issued; superintendent of board of health to keep record of dealers and their employees; milk wagons shall bear name of dealer in conspicuous letters; penalties. **Pa.** 164, 16 My

- 5453 \$300 fine for selling milk or cream which has been treated with chemicals. Amending S.'94 §4327. Vt. 67, 27 N 00
- 5454 Dairymens association. \$1500 for publishing reports of state dairymens association. Ill. p.50, 11 My
- 5455 State dairymens association to hold annual convention on *date managers select* [formerly 3d Tuesday in December]. Amending C.S.'99 ch.20a §2. Neb. 26, 11 Mr
- 5456 \$2250 [formerly \$1750] annually for state horticultural society and dairymens association. Amending S.'98 §1459. Wis. 320, 8 My
- 5457 \$4000 [formerly \$2000] for state dairymens association. Amending S.'98 §1459b. Wis. 421, 14 My

### Forestry

- 5458 Supervision. Regulation. *County surveyors* [formerly commissioner of state lands] to be timber inspectors; oath; bond; deputies. Amending S.'94 ch.85. Ark. 130, 27 Ap
- 5459 Board of land commissioners to preserve forest trees; regulations; may employ 6 deputies; \$5 a day; regulations as to cutting trees on public domain; trees protecting water rights not to be cut; penalty. Col. 83, 10 Ap
- 5460 Board of control of agricultural experiment station at New Haven to appoint state forester to serve during pleasure of board; no compensation except salary as member of staff; may buy suitable barren land at \$4 an acre and plant with oak, pine and chestnut at cost of \$2.50 an acre; care and sale of state lands; payment of town taxes; \$2000. Ct. 175, 17 Je
- 5461 State board of forestry consisting of 5 members appointed by governor; term 4 years; no salary; state forester to be secretary; salary \$1200, expenses \$600; board to collect information respecting preservation of forests and timber culture and recommend state forest preserves. Ind. 49, 1 Mr
- 5462 Setting aside certain lands as forest reserve. Mich. p.403, 6 Je
- 5463 State tax lands in corporate limits of city or village set apart for forestry purposes; state forestry board to control. Minn. 335, 13 Ap
- 5464 Consolidating forest, fish and game commission and forest preserve board; commission to consist of commissioner, appointed by governor and senate; term 4 years; salary \$5000; after Jan. 1, 1903, commissioner to appoint deputy; salary \$2500; 2 associate commissioners to be appointed by governor to serve without salary till 1903. N. Y. 94, 12 Mr
- 5465 Amending '00 ch.20 by authorizing forest, fish and game commission to appoint chief fire warden, expert foresters and superintendent of forests. N. Y. 326, 11 Ap
- 5466 On land purchased for Adirondack park soft timber down to 8 inches in diameter on stump may be reserved by owner. Amending '97 ch.220. N. Y. 652, 3 My
- 5467 Repealing '91 ch.76 creating state superintendent of irrigation and forestry. N. D. 176, 20 F

- 5468 Revision of game and forestry laws. Governor to appoint state game and forestry warden; term 4 years; salary \$1200 and \$500 for expenses; warden may appoint 6 state deputies and 3 county wardens in each county. Or. p.218, 27 F
- 5469 Creating department of forestry; commissioner of forestry and 4 citizens to constitute state forestry reservation commission; appointed for 4 years by governor and senate; partial renewal; salary of commissioner \$3000; commission to buy and control forestry lands and sell timber and mineral rights; disposition of moneys received. Pa. 9, 25 F
- 5470 Companies may incorporate to manufacture wood pulp, alcohol or other article from wood or bark. Amending '75 ch. 142. Tenn. 84, 23 Ap
- 5471 Bounties. Exemption. Agricultural and horticultural societies to annually offer premiums for raising and preserving ship *and other* timber. Amending P.S.'82 ch.114 §8. Mass. 58; 19 F
- 5472 Owners of forest land cleared of merchantable timber who shall have given notice to county commissioners that said land is to be maintained in timber to be entitled to receive from county moneys provided for forest culture. Amending '87, 173. Pa. 19, 22 Mr
- 5473 Tax rebate of 80% or not over 45c an acre for each acre of forest land containing 50 trees 6 inches in diameter; no owner to receive rebate on over 50 acres. Pa. 48, 11 Ap
- 5474 Forest trees artificially grown are subject to taxation. Amending '90 ch.141. Wash. 176, 13 Mr
- 5475 Forest fires. Fine of \$50 for not extinguishing camp, cooking or other fires in or adjacent to woods. Amending '91 ch.100 §5. Me. 251, 21 Mr
- 5476 Unlawful for nonresidents, unless with registered guide or stopping at hunting camp, to camp on wild lands and kindle fires from May to November; fine of \$40 and costs and 30 days imprisonment. Amending R.S.'83 ch.30 §21. Me. 278, 22 Mr
- 5477 One half proceeds of actions for forest fires less expenses to go to fire warden on whose information action was brought; balance available for enforcing law. Adding §231 to '00 ch.20. N. Y. 491, 23 Ap
- 5478 Town board *may* [formerly shall] fix compensation of fire wardens; person setting forest fires *may* [formerly shall] be imprisoned and fined not *more* [formerly less] than \$250. Amending '00 ch.20 §227. N. Y. 519, 24 Ap
- 5479 On request of residents or owners of land in county suffering from forest fires commissioner of forestry may appoint detectives to discover those setting fires; share of fines collected withheld from counties having appointed inefficient fire wardens. Pa. 86, 2 My
- 5480 State fish and game warden to perform duties of fire warden. Amending S.'98 §1498-98b. Wis. 408, 14 My

- 5481 Roads and flumes.** Companies may incorporate to build and operate flumes; may condemn 30 foot right of way; subject to rules for common carriers. Amending '75 ch.142.  
Tenn. 133, 19 Ap
- 5482 Felony to break, cut or destroy lawfully established boom.**  
Wash. 25, 28 F
- 5483 Booming and rafting companies may charge \$1.60** [formerly 60c] per 1000 feet on logs, spars and large timber; board of trustees to fix rates for other timber. Amending Ballinger's Codes '97 §4391.  
Wash. 140, 18 Mr
- 5484 Person floating logs or lumber to have permit from state engineer; engineer may require bond conditioned not to injure irrigating canals.**  
Wy. 89, 19 F
- 5485 Brands. Floating timber.** Regulating branding and drifting of timber; brands may be adopted and recorded with county clerk; compensation for taking up escaped timber; penalties; contracts for sale of standing timber to be in writing.  
Ind. 221, 11 Mr
- 5486 Record of log marks in office of surveyors general of logs and lumber to be transferred to new book; to be public record.**  
Minn. 6, 14 F
- 5487 Regulating taking up and securing floating timber or logs; compensation; felony to sell unlawfully.**  
Tenn. 29, 6 Ap
- 5488 Providing for branding of timber and registration of brands with clerk of county court; misdemeanor to infringe on or fraudulently use brand; felony to deface brand or convert branded timber.**  
Tenn. 54, 20 Ap
- 5489 \$100 fine or 6 months' imprisonment or both for interfering with brand on logs or timber.**  
Wash. 40, 1 Mr
- 5490 Misdemeanor to take up, sell or dispose of branded logs or timber if brand has been recorded with county auditor; penalty \$300; lawful owner may search premises.**  
Wash. 123, 16 Mr

## Game and fish

### General

- 5491 Submitting constitutional amendment allowing legislature to divide state into fish and game districts.** *Vote November 1902.*  
Cal. p.948, 7 Mr
- 5492 Revision of fish and game law.** Governor to appoint 3 commissioners of fisheries and game; term 2 years; compensation \$3 a day and expenses; commissioners to appoint 1 warden for each county; warden may appoint 20 special game protectors; regulations. 26p.  
Ct. 140, 14 Je
- 5493 Misdemeanor to assume to be inland fish and game warden or commissioner of inland fisheries and game.** Amending R.S.'83 ch.122 §22.  
Me. 144, 19 F

- 5494 Keepers of sporting camps and hunters to procure license and written consent of owners of land. Amending R.S.'83 ch.80 §29. Me. 186, 13 Mr
- 5495 Amending R.S. ch.80 relating to inland fisheries and game; definitions; open and close time; deer not to be hunted with dogs; Sunday close time; regulations. Me. 222, 19 Mr
- 5496 \$25,000 annually for 2 years to operate fish hatcheries and enforce inland fish and game laws; commissioners may buy real estate and assist in maintaining hatcheries of fish and game associations. Me. r.142, 15 F
- 5497 State game and fish warden to file bond for self and deputies; not to act before filing bond; secretary of state may demand new bond. Adding §3-6 to '99 ch.87. Mich. 124, 16 My
- 5498 Fixing terms of game and fish commissioners; open and close seasons; shipping game. Amending '99 ch.242. Minn. 229, 10 Ap
- 5499 Prohibiting hunting or fishing in state public parks or within 3000 feet of boundaries. Minn. 250, 11 Ap
- 5500 Amending R.S.'99 §2305 relating to open and close seasons for game; prohibiting shipment of game from county where killed or receipt of game for shipment; protection of fish. Mo. p.130, 23 Mr
- 5501 Governor to appoint state game and fish warden; term 4 years; salary \$1800 and expenses; warden may appoint 8 deputies; salary \$1200; duties; annual report; hunters licenses; regulations as to shipping game. Amending P.C. §3100-14. Mon. p.130, 18 Mr
- 5502 Amending '97 p.249 §1-7 relating to protection of birds; fish, fur bearing animals and game; no open season for moose, caribou, antelope or female elk; open season for male elk and certain birds; nonresident hunters. Mon. p.171, 14 Mr
- 5503 Governor to be fish and game commissioner; to appoint 2 deputies; term 2 years; salary \$1200; duties and powers; close seasons for song birds, fish and game; general regulations. 19p. Neb. 36, 23 Mr
- 5504 On petition of 20 taxpayers county commissioners to appoint fish and game warden; may make arrests; appoint deputies; quarterly report; salary. Nev. 48, 12 Mr
- 5505 Foreign corporation not to hold hunting or fishing property unless incorporated in state; fresh waters of 20 acres public; no waiver of state's rights in ponds of 10 to 20 acres. N. H. 9, 14 F
- 5506 Revising fish and game law; governor to appoint not over 3 commissioners for 5 years to enforce law and restock waters; general regulations. 10p. Replacing P.S.'01 ch.130-33. N. H. 79, 20 Mr
- 5507 Revising game law; game birds and small game not to be taken except with gun; wild birds not to be killed nor nests destroyed; exceptions; close season for game; regulations for hunting waterfowl; fishing regulations. N. J. 120, 22 Mr

- 5508 Consolidating forest, fish and game commission and forest preserve board; commission to consist of commissioner appointed by governor and senate; term 4 years; salary \$5000; after Jan. 1, 1903, commissioner to appoint deputy; salary \$2500; governor to appoint 2 associate commissioners to serve without salary till 1903. N. Y. 94, 12 Mr
- 5509 Misdemeanor to take or disturb fish, birds or game on private lands after notice. Amending '00 ch.20 §203. N. Y. 543, 25 Ap
- 5510 "Taking" means placing, setting, drawing or using net or device to take game. Amending '00 ch.20 §140 subdiv.8. N. Y. 603, 27 Ap
- 5511 Commission to make compilation of forest, fish and game law; 18,000 copies to be printed and distributed. N. Y. 658, 3 My
- 5512 Misdemeanor to have in possession, buy or sell oysters, lobsters or other food fishes sent into state for propagation; \$1000 for propagating food fishes, listing birds, and examining water supply; expenditure under direction of state biologist. Or. p.110, 25 F
- 5513 Revising game and forestry laws; governor to appoint state game and forestry warden; term 4 years; salary \$1200 and \$500 for expenses; warden may appoint 6 deputies for state and 3 county wardens for each county. Or. p.216, 27 F
- 5514 Secretary of commonwealth to publish in pamphlet form 25,000 copies of game, fish and forestry laws. Pa. c.r.20, 23 My
- 5515 Increasing penalties for violation of fish and game law; regulations. Amending R.S.'95 §529; '99 ch.56. Tex. 130, 23 Ap
- 5516 Fish and game commissioner's salary \$1000 [formerly \$300] and \$200 expenses; to seize game unlawfully taken and make arrests with or without warrants; regulations as to fishing; deer may be killed from Oct. 15 to Nov. 15 [formerly during October]; song birds not to be killed. Amending '99 ch.26. U. 133, 25 Mr
- 5517 Game and fish warden to receive \$1000 salary [formerly paid from fines accruing from prosecutions]; to appoint deputy wardens subject to governor's approval; powers of deputies; regulations. Amending C.'99 ch.62 §19a. W. Va. 93, 22 F
- 5518 Search warrants may be issued for fish and game killed contrary to law; procedure. Wis. 300, 6 My
- 5519 Amending fish and game law; deputy wardens; licenses; prohibited methods of fishing and hunting; close season for deer and pheasant; not to hunt with ferret; shipping game; hunting on premises of another. Wis. 358, 13 My
- 5520 State fish and game warden to perform duties of fire warden. Amending S.'98 §1498-98b. Wis. 408, 14 My

## Game

(See also Noxious animals, 5263)

## General and miscellaneous

- 5521 Open season for deer Sep. [formerly Aug.] 1 to Mar. [formerly Feb.] 1; for prairie chicken Oct. 31 [formerly Sep. 1] to Dec. [formerly Feb.] 1. Amending S.'94 §3431. Ark. 180, 23 My

- 5522 Game commissioners may lease for 25 or 50 years woodlands of 50 to 300 acres as game preserves; rules. Ct. 65, 17 My
- 5523 Misdemeanor to set traps with scented bait on premises of another. Ct. 102, 29 My
- 5524 Repealing G.S.'88 §2501, 2531 forbidding fishing and hunting in private inclosures where notices have been posted. Ct. 168, 17 Je
- 5525 Nonresident hunters to have photograph on license; open and close seasons; regulations. Amending R.S.'99 ch.61 §1, 26. Ill. p.212, 10 My
- 5526 Various amendments to game law; nonresidents to have license to hunt game in state; fee \$25.50. Ind. 203, 11 Mr
- 5527 Revising game law; moose, elk and caribou protected for 10 years; open season for deer Nov. 8 to 30; squirrel Oct. 15 to Nov. 30; partridge, quail and waterfowl Oct. 1 to Nov. 30; certain birds protected; regulations. Mich. 217, 6 Je
- 5528 Misdemeanor to sell or ship for sale game birds or deer; penalty. N. D. 104, 12 Mr
- 5529 Amending R.C.'99 §7677 relating to killing or capture of game; devices forbidden; close season extended; day's bag limited. N. D. 106, 12 Mr
- 5530 County treasurers to issue licenses to nonresident hunters owning no land in state; fee \$10; game wardens may arrest without warrant. Pa. 67, 24 Ap
- 5531 Game protectors may arrest on Sundays and make searches and seizures; game seized to be sent to hospital, guns and appliances to be sold at auction; compensation to be fixed by game commission. Pa. 173, 21 My
- 5532 Misdemeanor to hunt on inclosed or tillable lands without owner's permission; fox hunting excepted. Tenn. 91, 27 Mr
- 5533 Amending Ballinger's Codes '97 t.29 ch.7 as to number of animals to be killed; liability of common carriers for shipment and penalties. Wash. 134, 18 Mr

## Game animals

- 5534 Large game. No one to kill more than 3 deer in a season; misdemeanor to kill female deer or sell deer meat. Cal. 274, 28 Mr
- 5535 Deer hunting licenses and affidavits to be issued to county clerks in books of 50 [formerly 100] for residents and 5 [formerly 25] for nonresidents 10 days before Sep. [formerly Jan.] 1; clerk to return before Dec. 26 [formerly at close of year] unused licenses and affidavits and used and unused license stubs. Amending C.L.'97 §5798. Mich. 149, 22 My
- 5536 Application for deer, elk, caribou or moose hunting license may be in writing. Amending '97 ch.221 §53. Minn. 342, 13 Ap
- 5537 Unlawful to kill or injure elk, deer, antelope or mountain sheep for 5 years; penalty. N. M. 46, 19 Mr
- 5538 Forest, fish and game commission may acquire moose to stock Adirondack region; penalties for killing or having in possession. Amending '00 ch.20 §11, 16. N. Y. 147, 21 Mr

- 5539 Fawns in spotted or red coat not to be taken. Amending '00 ch.20 §5. N. Y. 366, 17 Ap
- 5540 Deer not to be hunted with dogs; dogs not allowed in Adirondack park. Amending '00 ch.20 §9. N. Y. 545, 25 Ap
- 5541 Antelope hunting prior to Jan. 1, 1911, prohibited; penalty. N. D. 105, 8 Mr
- 5542 Beaver not to be killed for 20 years. Or. p.216, 27 F
- 5543 Not over 5 deer to be killed in open season by 1 person; deer, antelope and moose not to be hunted with dogs. Or. p.216, 27 F
- 5544 General law for preservation of buffalo, elk, deer and mountain sheep; governor may appoint county game wardens at \$50 salary from Nov. 1 to Jan. 1; warden to arrest without warrant; deputy wardens; licenses. S. D. 132, 8 Mr
- 5545 Unlawful to hunt antelope before Jan. 1, 1911. S. D. 133, 12 F
- 5546 \$20 penalty for killing or having in possession beaver killed in state. Amending S.'94 §4611. Vt. 85, 13 N 00
- 5547 Female of moose, elk, caribou, antelope, mountain sheep or mountain goat not to be killed. Wash. 134, 18 Mr
- 5548 Small game. Misdemeanor to kill squirrels between 1st days of February and August. Cal. 274, 28 Mr
- 5549 Use of ferrets in taking rabbits forbidden till Oct. 15, 1905. Amending G.S.'88 §2549. Ct. 17, 28 Mr
- 5550 Misdemeanor to shoot at or kill fox chased by dogs; penalty. Del. 150, 7 Mr
- 5551 Fox hunting forbidden from May 1 to Aug. 31; penalty. Del. 151, 14 Mr
- 5552 Close season for gray squirrels, hares and rabbits Mar. 1 to Oct. 1 [formerly Sep. 15]; cold storage firms and game dealers may have Colorado jack, Nova Scotia or eastern white rabbits in possession at any time if not killed in commonwealth. Amending '94 ch.97 §1. Mass. 102, 5 Mr
- 5553 Owner may snare ruffed grouse, hares or rabbits on his property between Oct. 1 and Dec. [formerly Jan.] 1. Amending '87 ch.300. Mass. 141, 12 Mr
- 5554 Owners or lessees may kill rabbits on premises at all times but not for sale. Pa. 42, 11 Ap
- 5555 Skunks not to be killed in Jackson, Marshall, Wood and Brooke counties; provision to extend to other counties if on petition of 200 voters county court so directs. Amending C.'99 ch.62. W. Va. 90, 16 F

#### Game and other birds

- 5556 General. Revising law as to game birds; close season; limit of day's bag; misdemeanor to sell game birds; night or net hunting forbidden; shipments to be labeled. Cal. 274, 28 Mr
- 5557 Open season for grouse and prairie chicken [formerly quail] Aug. 15 to Oct. 1 [formerly during October and November]; doves and plover, July 15 to Sep. 15 [formerly September and October]; quail during December. Amending '97 ch.135 §1. Kan. 223, 5 Mr



- 5558 Unlawful to have game birds in close time *whenever or however killed*; open season for duck, partridge and woodcock; restrictions as to killing, selling and transporting. Amending R.S.'83 ch.30 §11. Me. 258, 22 Mr
- 5559 Taking of wild pigeons, gulls and tern prohibited. Amending '86 ch.276. Mass. 178, 21 Mr
- 5560 Misdemeanor to kill or entrap grouse, prairie chicken, partridge or wild turkey, except with gun, from October to December inclusive; quail except from October to February; pheasant not to be killed for 5 years; penalty. N. M. 26, 14 Mr
- 5561 Amending '00 ch.20 as to taking webfooted wild fowl, grebe, bittern and wild birds. N. Y. 91, 12 Mr
- 5562 Trespass to hunt or trap game birds on cultivated lands; public notice to be given by owner. Pa. 308, 9 JI
- 5563 Governor and senate to appoint 5 bird commissioners at January session of assembly triennially beginning 1902; term begins Feb. 1. Amending G.L.'96 ch.112 §16. R. I. 809 §26, 29 Ja
- 5564 \$300 annually for commissioner of birds to enforce game laws. R. I. 914, 28 Mr
- 5565 Partridge. Grouse. Quail. Pheasants. Sale of partridge, quail or woodcock forbidden for 2 years. Ct. 74, 21 My
- 5566 Pheasants not to be killed or nests destroyed for 5 years. Ga. p.82, 30 N 00
- 5567 Misdemeanor to kill wild pheasant before Sep. 15, 1906. N. H. 108, 22 Mr
- 5568 Continuing for 5 years close season for pheasants. Amending '97 ch.44. Tenn. 36, 18 Ap
- 5569 Misdemeanor to ship quail; counties of 300 or under excepted. Tenn. 121, 3 Ap
- 5570 Open season for quail and pheasants Aug. 15 to Dec. 1. Amending Ballinger's Codes '97 §7359. Wash. 114, 16 Mr
- 5571 Mongolian pheasants not to be killed till 1906; penalty \$10 to \$50. Wy. 52, 16 F
- 5572 Pigeons. Doves. Misdemeanor to kill homing pigeons. N. H. 38, 28 F
- 5573 Waterfowl. Close season for reedbird Feb. 1 to Aug. 25 [formerly Sep. 1]. Amending '85 ch.507 §1. Del. 152, 25 F
- 5574 Unlawful to ship or carry geese or ducks out of state for sale without license. Amending '85 ch.507 §9. Del. 153, 18 F
- 5575 Amending '90 ch.342 §10 as to shooting and sale of wild ducks. Minn. 35, 11 Mr
- 5576 Open season for black and wood duck Aug. 15 to Mar. 31 [formerly Jan. 1]; *no close season for other duck species and shore birds*. Amending '00 ch.787. R. I. 830, 21 Mr
- 5577 Song and other birds. Misdemeanor to kill meadow lark; exceptions. Adding §637a to Pen.C. Cal. 178, 23 Mr
- 5578 Misdemeanor to kill, catch, buy or sell birds or to take or destroy nests or eggs; penalty; exceptions; certificates for 1 year to be issued to persons engaged in scientific research; bond; governor may appoint arbor and bird day. Del. 216, 9 Mr

- 5579 Misdemeanor to kill or possess wild bird or part thereof, other than game bird; to destroy or possess nest or eggs; exemption for scientific purposes; certain birds excepted. Fla. 73, 29 My
- 5580 Killing or having in possession whole or part, or taking nests and eggs of wild bird, except game bird, prohibited; penalty \$5 for each offense. Amending R.S.'83 ch.30 §23-24. Me. 142, 15 F
- 5581 Unlawful to kill or injure insectivorous, plume or song birds except blackbirds, or to hunt pheasant before September 1906; close season for game birds, deer, antelope and other game; unlawful to buy, sell or have in possession game out of season; game not to be shipped out of state. Nev. 110, 28 Mr
- 5582 Forbidding killing, having in possession or selling wild bird or part thereof except game birds; defining game birds; prohibiting destruction of nests; penalties; licenses to take birds and nests for scientific purposes; certain birds not protected. N. J. 76, 20 Mr
- 5583 Unlawful to kill song birds and insect feeding birds except for scientific purposes; varieties enumerated. N. M. 25, 14 Mr
- 5584 Misdemeanor to kill, catch or have in possession bird other than game bird, sparrow, crow, hawk, owl or blackbird; definition of game bird; license for scientific purposes. Wis. 156, 9 Ap
- 5585 Misdemeanor to kill or have in possession bird other than game bird; superintendent of public instruction may license persons to take birds for scientific purposes; sparrows and magpies not protected. Wy. 87, 14 F

### Fish

#### General and miscellaneous

- 5586 Open season for trout Ap. 1 to Nov. 1; forbidding use of nets, seines and explosives and pollution of waters. Amending Pen.C. §628, 632, 635. Cal. 50, 27 F
- 5587 Close season for fishing within 400 feet below dam Ap. 15 to June 15; elsewhere Ap. 15 to Aug. 1; exceptions; set lines prohibited. Amending '97 p.224. Ill. p.209, 11 My
- 5588 Regulating fishing and forbidding pollution of streams; prohibiting use of seines, nets and dynamite; fixing open and close seasons, and limiting number of fish taken. Ind. 54, 2 Mr
- 5589 Deputy fish wardens may be appointed by commissioners. Me. 214, 19 Mr
- 5590 Amending '97 ch.285 §48 relating to sea and shore fisheries; fines and penalties to go to fish fund [formerly to county where offense was committed]. Me. 227, 20 Mr
- 5591 Revising law as to sea and shore fisheries; governor to appoint commissioner; salary \$1000; term 3 years; to appoint wardens on recommendation of commissioner; term 3 years; fish culture; inspectors; rules for catching and canning certain fish; use of weirs and nets. 20p. Me. 284, 22 Mr
- 5592 \$50 penalty for destroying screen at outlet of pond or lake. Me. 289, 21 Mr

- 5593 Governor to appoint compiler of sea and shore fisheries laws; 5000 copies to be printed; \$500 for compilation. **Me.** r.158, 22 F
- 5594 Owners of fishing apparatus to report annually to commissioners of inland fisheries number of pounds of fish caught. **Mass.** 290, 16 Ap
- 5595 Fish may be packed without inspection; inspection if required to be at time of buying; expense paid by buyer. **Mass.** 321, 24 Ap
- 5596 Misdemeanor to pollute state waters or build dam without fish ladder; trout and salmon not to be taken except with hook and line; open and close seasons; regulations. **Nev.** 109, 28 Mr
- 5597 \$60 penalty for fishing in streams during close season established in towns; \$5 additional for each fish taken. Amending '00 ch.20 §156. **N. Y.** 662, 3 My
- 5598 Amending R.C.'99 §7679 relating to restrictions on catching fish; fishing in stocked streams forbidden from Oct. 1 to May 1. **N. D.** 103, 12 Mr
- 5599 Revising fish law; governor, secretary of state and state treasurer to be board of fish commissioners; commission to appoint fish warden and deputy; to hold office during pleasure of commission; salaries \$2500 and \$1000; hatcheries; licenses of cannery and retail dealers of salmon; detailed regulations. **Or.** p.328, 28 F
- 5600 Revising fish law; distinguishing game and food fish; game fish may be taken only with hook and line; fish propagation; open and close seasons; penalties; fish commissioners to enforce. **Pa.** 203, 29 My
- 5601 Regulating fishing in boundary waters over 5000 acres; distinguishing game from food fish; licenses; penalties. **Pa.** 210, 29 My
- 5602 Governor and senate to appoint commissioners of inland fisheries triennially at January session of assembly; term begins Feb. 1. Amending G.L.'96 ch.174 §1. **R. I.** 809 §40, 29 Ja
- 5603 \$5 fine for each fish caught or killed in posted waters. Amending S.'94 §4596. **Vt.** 76, 16 N 00
- 5604 Fish commissioner to be paid monthly [formerly quarterly]; salary of deputies \$1200 [formerly \$5 a day] payable monthly; deputies to be assigned one each to office, lower Puget sound and Columbia river. Amending '90 ch.8. **Wash.** 130, 18 Mr
- 5605 Prohibiting fishing in private waters or draining ponds, dams or pools without consent of owner. **W. Va.** 7, 22 F
- 5606 Misdemeanor to erect dams without fish ladders; proviso as to fish pots and seines. Amending C.'99 ch.62 §6. **W. Va.** 94, 26 F
- 5607 Fish culture. Establishing fish hatchery at St Paul. **Minn.** 23, 7 Mr
- 5608 Amending Crim.C. §87 as to penalty for interfering with private fish pond. **Neb.** 96, 29 Mr
- 5609 Fish and game commissioners may abolish and improve fish hatcheries on approval of governor and council. **N. H.** 14, 20 F

- 5610 Owners of private pond may take fish at any time; definition of artificial pond. Vt. 77, 27 N 00
- 5611 \$3000 for 1901 and \$2000 annually thereafter for state fish hatchery; governor to appoint 2 fish and game commissioners in 1900 for 2 and 4 years respectively; one to be superintendent of hatchery at Roxbury. Vt. 128, 19 N 00
- 5612 \$1500 for fish hatchery at Swanton; governor to appoint additional fish commissioner biennially to act as superintendent; hatchery to be maintained by fees for seine fishing in Lake Champlain. Vt. 129, 27 N 00
- 5613 Private fish hatcheries may be established; duties of fish commissioner. Wash. 153, 18 Mr
- 5614 Forbidding commissioners of fisheries to take fish at any time for procuring eggs. Repealing '99 ch.311 §15. Wis. 407, 14 My

**Special modes of fishing**

- 5615 Taking of striped bass with seines or nets prohibited from Mar. 31 to July 1. Amending G.S.'88 §2424. Ct. 21, 9 Ap
- 5616 Unlawful to catch fish except by angling; possession of trap, net or other devices to be prima facie evidence of violation; privileges of fish warden and deputy. Amending '99 ch.142 §5. Kan. 219, 25 F
- 5617 Person may catch through ice and have 40 [formerly 20] lb of togue. Me. 146, 20 F
- 5618 Restrictions on weirs not to apply to weirs built for purpose of taking herring or other salt water fish [formerly on the sea shores]. Amending '97 ch.285 §35. Me. 212, 19 Mr
- 5619 Prohibiting use of torches in herring fishery. Amending '87 ch.42 §1. Me. 271, 22 Mr
- 5620 Forbidding taking trout, land-locked salmon or longe other than by angling; regulating fishing through ice. Amending S.'94 §4584. Vt. 75, 27 N 00
- 5621 Fish and game commissioners may license catching whitefish with nets during November. Vt. 78, 27 N 00
- 5622 Fish and game commissioners shall [formerly may] issue permits to residents of state to fish with seine in lakes Champlain and Memphremagog Oct. 1 to Dec. 1; time of permits may be extended to correspond with like extensions by Canadian authorities. Amending S.'94 §4600. Vt. 80, 15 N 00
- 5623 Bass, perch, pickerel and pike not to be taken except with hook and line; open season July 1 to May 15. Wash. 159, 18 Mr

**Special kinds of fish**

- 5624 Fish commissioners may in late seasons extend time for taking alewives to June 1. Ct. 76, 29 My
- 5625 \$10 penalty for taking or keeping in possession trout under 6 inches long; exceptions. Mass. 121, 7 Mr
- 5626 Misdemeanor to catch black bass in inland waters of state Ap. 1 to May 20. Mich. 179, 28 My
- 5627 Close season for trout Sep. 1 to Ap. 15 [formerly May 1]; bass Mar. 1 to June 1 [formerly May 15]. Amending '97 ch.221. Minn. 327, 13 Ap

- 5628 \$750 for fish and game commissioners to cooperate with Pennsylvania in restoring sturgeon fishery in Delaware river and bay; fishermen to furnish eggs and loan of 2 boats. N. J. '90, 21 Mr
- 5629 Salt water striped bass under 8 inches long not to be taken; striped bass may be taken from Hudson river between Ap. 30 and July 30. N. Y. 608, 27 Ap
- 5630 Fishery commissioners to cooperate with New Jersey commission in restoring sturgeon to Delaware river; \$750. Pa. 153, 11 My
- 5631 Sturgeon not to be taken between Ap. 15 and June 1; regulations. Vt. 79, 18 N 00

### Shellfish. Lobsters. Sponges

- 5632 Shellfish. In dredging for shellfish no device besides lawful weight to be used to increase pressure of dredge on bottom. Amending G.S.'88 §2404. Ct. 115, 3 Je
- 5633 Grants of shellfish ground to be final after 5 years peaceable possession. Ct. 177, 17 Je
- 5634 Appointing legislative commission to investigate shellfish industry and audit legal claims; reports. N. C. 566, 11 Mr
- 5635 General assembly at January session 1905 to elect shellfish commissioners; term 5 years beginning Feb. 1; board to report to assembly annually at *January* [formerly May] session. Amending G.L.'96 ch.170 §1, 3. E. I. 809 §38, 29 Ja
- 5636 Persons engaged in taking scallops to obtain license from commissioners of shellfisheries; fee \$5 for each boat annually; regulations; district courts to have jurisdiction; commissioners to appoint 4 deputies to enforce law. Amending G.L.'96 ch.178. E. I. 833, 26 Mr
- 5637 Salary of clerk of commissioners of shellfisheries \$1000. E. I. 856, 29 Mr
- 5638 Commissioners of inland fisheries may occupy land not over 3 acres to conduct experiments in propagation of shellfish; to publish notice and copy of regulations; penalty for trespass. Amending G.L.'96 ch.174 §2-4. E. I. 869, 29 Mr
- 5639 Oysters. Regulating removal of oysters from reefs; license; regulations as to size. Ala. p.119, 9 F
- 5640 Misdemeanor to take or buy oysters under 2½ inches long from public or private reefs; exception. Ala. p.204, 5 Mr
- 5641 Oyster revenue collector to be appointed by governor; term 2 years; salary \$700; revenues to be paid into treasury semi-annually. Del. 106, 7 Mr
- 5642 Collector of oyster revenue to appoint crew of 4 for watchboat; salaries. Del. 147, 3 Ap
- 5643 \$100 for director of agricultural experiment station to maintain 1 or more stations for study of scientific oyster propagation. N. J. 99, 21 Mr
- 5644 Minor amendments to '99 ch.194 regulating oyster industry. N. J. 149, 22 Mr
- 5645 Governor to have control of state's oyster patrol steamer. N. C. 77, 4 F

- 5646 Commissioner of labor and printing to have 1000 copies of oyster law printed. N. C. p.1040, 14 Mr
- 5647 Amending G.L.'96 ch.170 §13 as to advertising applications for lease of land to plant oysters. B. I. 822, 1 Mr
- 5648 Generally amending G.L.'96 ch.170 as to taking oysters and leasing oyster grounds. 9p. B. I. 853, 29 Mr
- 5649 Amending G.L.'96 ch.169 as to taking oysters from free oyster fisheries. B. I. 858, 29 Mr
- 5650 License for boat gathering oysters for export \$10 for 1 [formerly 5] ton burden and \$5 [formerly \$2] for each additional ton; license for canning factories \$400 [formerly \$100]; person charged with enforcement of act to receive not over \$500 [formerly \$200]. Amending '00 ch.256 §1, 5. S. C. 439, 20 F
- 5651 Amending C. §2148 as to time for taking oysters. Va. 126, 14 F
- 5652 Proceeds of sales of vessels of police fleet may be used in addition to appropriations for protection of oysters. Amending '00 ch.466 §11. Va. 216, 15 F
- 5653 *Three fourths* of fines for violation of oyster law to go to oyster fund [formerly one half to state and one fourth to informer]. Amending C. '87 §2168. Va. 313, 16 F
- 5654 Prohibiting removal from state of oysters under 3 inches long; license for transplanting; regulations. Va. 347, 16 F
- 5655 Submitting constitutional amendment repealing provisions restricting taxation of oyster industry. *Adopted November 1901.* Va. 588, 5 Mr 00
- 5656 Lobsters. Exposure for sale or possession of eggbearing lobsters prima facie evidence of intent to sell. Amending '89 ch.109. Mass. 193, 26 Mr
- 5657 Commissioners of inland fisheries to appoint deputies to enforce lobster fishing regulations; district courts to have jurisdiction. Amending G.L.'96 ch.171, 173. B. I. 857, 29 Mr
- 5658 Sponges. Amending R.S.'92 §2772 as to penalty for gathering, selling or buying sponges under 4 inches in diameter. Fla. 106, 30 My

## CONSTITUTIONAL AMENDMENTS

1900-1

The references are to the marginal numbers in the body of the bulletin, where the amendments are summarized. The column of amendments proposed includes both those submitted to future vote of the people and those referred to the next session of the legislature, as is required in a number of states.

	Adopted	Rejected	Proposed		Adopted	Rejected	Proposed
Arkansas .....			935	Missouri .....			338
California .....			165				<sup>e</sup> 1546
			862				1790
			1066				3256
			1347				3290
			2788				3434
			3043				3470
			3277	Montana .....			3175
			3644	Nevada .....			<sup>f</sup> 39
			5491				916
Colorado .....			757				1525
			1067	New York ...	1483		1483
			1480				<sup>f</sup> 2296
			1727				2297
			2209				3477
			3191	N. Dakota ..			<sup>f</sup> 300
			<sup>a</sup> { 3278				1429
			3279				1539
Connecticut.	929		929				4084
	2974		2974				4146
Delaware ...			1151	Oregon .....			725
			1501				<sup>f</sup> 758
Florida .....			2223				832
			2270				917
Indiana .....		<sup>b</sup> { 2191					999
		2226					3104
Iowa .....		<sup>c</sup> { 736					<sup>a</sup> { 3301
		930					1133
Kansas .....			738	Pennsylvania	810		810
			936		868		868
Maryland ...	4931						920
	2412						2812
Michigan ...	1738	938	938	Rhode Island			932
			1020				947
			1738				2240
			2271				
			4209	S. Carolina..	<sup>d</sup> { 1830		
Minnesota ..			289	S. Dakota...	5189		
			3652				302
Missouri .....		1544	291				1832
							3153

<sup>a</sup> Submitted as one amendment.

<sup>b</sup> Received majority vote November 1900, but not majority of total number of votes cast for governor. Declared not adopted by the supreme court, in re Denny, 59 N. E. 389.

<sup>c</sup> Submitted as one amendment and adopted November 1900. Proposal declared unconstitutional because the amendment was not entered in full on the house journal, State v. Brookhart, 84 N. W. 1084.

<sup>d</sup> Two amendments.

<sup>e</sup> An amendment relating to taxation of mortgages was submitted by legislature of 1899 and adopted November 1900. This year the legislature passed an act for the submission of the question of its repeal in November 1902; later the supreme court in Russell v. Croy 68 S. W. 849, declared the amendment not adopted in 1900 because it did not receive a majority of all votes cast at the election.

<sup>f</sup> Not repassed by legislature of 1901.

<sup>g</sup> Adopted November 1900 and ratified by the legislature of 1901.

**CONSTITUTIONAL AMENDMENTS** (*concluded*)

	Adopted	Rejected	Proposed		Adopted	Rejected	Proposed
Tennessee ..	.....	.....	924	Virginia ....	831	.....	.....
	.....	.....	1488		1490	.....	.....
	.....	.....	1836	W. Virginia..	.....	.....	307
	.....	.....	2216		.....	.....	813
	.....	.....	2971		.....	.....	2243
	.....	.....	3012		.....	.....	2983
	.....	.....	3565		.....	.....	2994
Texas .....	.....	.....	759	Wisconsin ..	.....	.....	236
	.....	.....			.....	.....	1266
Utah .....	.....	.....			.....	.....	1845
	.....	.....			.....	.....	2245
	.....	.....			.....	.....	3149
Vermont ....	.....	.....	4925		.....	.....	73655
	.....	.....			.....	.....	4508

<sup>h</sup> Submitted by legislature of 1899 but not printed in the session laws.

<sup>t</sup> Referred to next legislature by legislature of 1900 but not printed in the session laws.

**NEW CONSTITUTIONS****Connecticut**

At a special election held in October of the present year the proposition to hold a constitutional convention was carried ['01 ch. 43]. Delegates to this convention were elected at the November election, and the convention will convene on the first Wednesday in January 1902.

**Iowa**

At time of going to press last year the proposition to hold a constitutional convention in Iowa was reported carried, but the final count showed it defeated by a few votes.

**New Hampshire**

In New Hampshire delegates to a constitutional convention are to be elected in November 1902 and the convention will meet in December of that year. The act for the election of delegates provides that amendments determined on by the convention shall be submitted to the people separately, if practicable ['01 ch.85]. The people of the state voted to hold a convention in November 1900, the question being submitted by the legislature of 1899 ['99 ch.110]. The present constitution of New Hampshire was adopted in 1792, and has since been amended but three times (see Summary for 1900, p. 589).



### Virginia

The legislature of 1900 submitted to the people the question of a constitutional convention ['00 ch.778]. At an election held in May 1900 the proposition to hold a convention carried, and an extra session of the legislature held in January 1901 provided for the election of delegates to the convention ['01 ch.243]. The election was held in May 1901 and the convention has not yet completed its labors. The legislature of 1902 will have to provide for the submission of the new constitution to the people. The present constitution of Virginia was adopted in 1869.

### Alabama

At an election held in April 1901 the proposition to hold a constitutional convention was carried ['00 p.43]. A new constitution was submitted to the people and adopted at the November election. The following is a summary of its most important provisions:

**Legislature.** Date of general election first Tuesday after first Monday in November [formerly first Monday in August] every fourth [formerly second] year beginning with 1902 [§46]. Term of representatives extended from two to four years. Legislature to meet quadrennially [formerly biennially] on second Tuesday in January succeeding election [§48]. Senators to be 25 [formerly 27] years at time of election [§47]. Basis of representation and number of senators and representatives remain practically the same, but a proviso is added that each new county shall be entitled to one representative [§50].

No one to be admitted to floor of either house except members, officers and employees of legislature, governor and his secretaries, representatives of the press and persons admitted by unanimous consent [§57].

State and county officials not to accept any reward for lobbying for or against measures before the legislature or for giving or withholding influence to secure passage or defeat of measure [§101].

No bill to become law till referred to standing committee of each house, acted on by committee in session, and returned to house, "which facts shall affirmatively appear upon the journal of each house" [§62].

**Appropriations.** Governor, auditor and attorney general before each regular session to prepare general revenue bill, secretary of state to print same, and governor to transmit to house of representatives when organized [§70]. No revenue bills to be passed during last five days of the session. General appropriation bill not to increase any salary nor make appropriation for officer or employee unless his employment and salary has been fixed by law [§71].

**Legislature, counties and municipalities** not to grant extra compensation or allowance to public officer or employee after service rendered or contract made; nor increase or decrease fees or compensation during term of office [§68].

**Special legislation.** Special, private or local laws not to be passed in certain cases, specified in 31 subdivisions [§104]. These include incorporation, or amendment of charter of municipal or private corporation, exemption from general laws, regulating interest, granting divorce, validating legal instruments, permitting issue to bonds by municipalities without vote of electors, providing for conduct of elections, restoring right to vote to persons convicted of infamous crimes, etc.

Special act, except to fix time for holding court not to be passed in cases provided for by general law or when relief sought can be given by any court of the state, of which the courts shall be the judges [§105].

Special act not to be passed, repealed or amended, except to fix time of court, unless notice of application therefor, stating substance of proposed law, be published in counties where matter affected is situated, at least once a week for 4 weeks [§106, 107].

"A general law within the meaning of this article is a law which applies to the whole state; a local law is a law which applies to any political subdivision or subdivisions of the state less than the whole; a special or private law within the meaning of this article is one which applies to an individual, association or corporation" [§110].

**Executive department.** Two new executive offices are created: lieutenant-governor and commissioner of agriculture and industries [§112]. All the executive officers of the state to be elected at time of election of members of legislature and serve for four [formerly two] years [§114].

No executive officer is eligible to succeed himself and the governor is ineligible to election or appointment to any state office or to United States senate during his term and for one year thereafter [§116]. The lieutenant-governor to possess qualifications of governor; to be president of the senate, but to vote only in case of a tie; his compensation to be same as that of speaker [§117, 118].

**Pardon board.** A board of pardons is created consisting of the attorney general, secretary of state and state auditor [§124]. This board considers all applications for pardon, commutation or parole in cases of felony and reports to the governor, who may at his discretion grant or deny the application. "Pardons in cases of felony and other offenses involving moral turpitude shall not relieve from civil and political disabilities, unless approved by the board of pardons and specifically expressed in the pardon."

**Veto power.** The legislature retains the right to pass bills over the governor's veto; but, in addition, provision is made that, if the governor proposes an amendment that would remove his objections, the house to which it is sent may so amend the bill and send it with the governor's message to the other house which may adopt, but not amend, such amendment [§125]. As formerly, separate items of appropriation bills may be vetoed and items or bills may be passed over veto by majority vote [§126].

The time during which the governor may return a bill to the legislature is extended to six [formerly five] days, Sundays excepted. In case of recess of the legislature, vetoed bills must be returned within two days after reassembling. Bills presented to governor within five days of final adjournment of legislature may be approved within 10 days after adjournment.

**Succession.** Formerly the succession to the governorship devolved in turn on the president of the senate and the speaker of the house. The lieutenant-governor is now made first successor in case of death or disability of the governor [§127]. The line of succession is also much increased; after the lieutenant-governor come in turn the president pro tem. of the senate, speaker of the house of representatives, attorney general, state auditor, secretary of state, and state treasurer.

It is made the duty of the supreme court, on request in writing verified by their affidavits of any two of the preceding officers

not next in succession, to ascertain the mental condition of the governor or acting governor and if of unsound mind to so adjudge, when officer in succession shall become governor [§128]. Power is also given by which the governor may be restored to office when again of sound mind. If any other of the executive officers become of unsound mind, such disability shall be ascertained by supreme court on suggestion of governor [§136].

**Impeachments.** Among the causes for removal from office of state officers and judges was "habitual drunkenness"; as this was rather vague, it has been changed to read "intemperance in the use of intoxicating liquors or narcotics to such an extent, in view of the dignity of the office and importance of its duties, as unfits the officer for the discharge of such duties" [§173]. On impeachment of governor or lieutenant-governor, the chief justice to preside over the senate sitting as court of impeachment. If when legislature is not in session a majority of the members elected to the house of representatives certify in writing to secretary of state their desire to meet to consider impeachment of governor or acting governor, secretary of state to notify speaker who shall within 10 days summon the house to assemble on named day.

The impeachment of sheriffs is removed from the jurisdiction of circuit courts to the supreme court and the legislature may provide for impeachment or removal by the supreme court of other officers than those named in constitution [§174]. To the officers removable by the circuit court and criminal court of county, are added the county superintendent of education and judges of inferior courts established under §168 with powers of justice of the peace [§175].

**Sheriffs and lynching.** "Whenever any prisoner is taken from jail, or from the custody of any sheriff or his deputy, and put to death, or suffers grievous bodily harm, owing to the neglect, connivance, cowardice or other grave fault of the sheriff, such sheriff may be impeached. . . If . . . convicted he shall not be eligible to hold any office in this state during the time for which he had been elected or appointed" [§138].

**Judicial department.** The new constitution makes many changes in the organization of the courts [§139-72]. Provision is made for the election of one-third of the members of the

supreme court every second year. Solicitors for judicial circuits, formerly elected on joint ballot of the legislature, are to be elected by the qualified electors of each circuit. The legislature may abolish any court, except the state supreme court and probate courts, whose jurisdiction and functions have been conferred on some other court.

**Suffrage and elections.** Formerly every male citizen of the United States and every male person who had declared intention of becoming a citizen, 21 years of age, was entitled to vote after residence in state one year, in county three months, and in precinct or ward 30 days; the latter period might be extended to three months by the legislature. Under the new constitution suffrage is much restricted. Foreigners not becoming citizens when entitled thereto cease to have the right to vote till they become citizens [§177]. Period of residence in the state two years, in county one year, and in precinct or ward three months [§178]. Registration and payment of a poll tax required. These provisions become effective at the general election of 1902 and apply to all elections, state and local [§184].

Registration before Dec. 20, 1902 [§180]: Male citizens of the state and the United States and foreigners who, before ratification of this constitution, have declared intentions to become citizens and have not had opportunity to perfect citizenship by Dec. 20, 1902, 21 years of age, who have above described residence qualifications, not disqualified by crime or mental condition, may register, if coming under following classes:

- 1 Those who have honorably served in land or naval forces of United States in war, or of confederate states, or Alabama in civil war.

- 2 Lawful descendants of persons who served as above.

- 3 "All persons who are of good character and who understand the duties and obligations of citizenship under a republican form of government."

Between Dec. 20, 1902, and Jan. 1, 1903, to be no registration and after that date the following qualifications take the place of the above [§181].

1 Those who can read and write any article of the United States constitution in the English language and have worked at some lawful employment, business, occupation, trade or calling for greater part of year next preceding registration, if not physically unable to work.

2 Those unable to read and write if such inability is due solely to physical disability.

3 Resident owner, or husband of woman who is owner, of 40 acres of land.

4 Owner, or husband of woman who is owner, of real or personal property assessed at \$300.

By both constitutions, idiots and insane are disqualified from voting, but the list of crimes disqualifying is much lengthened in the new; the main additions are vagrancy, selling or buying or offering to sell or buy votes, making or offering to make false return in election or primary, and subornation of witness or registrar to secure registration of any one as elector [§182]. Disqualification from voting also disqualifies from taking part in any party primary or convention [§183].

Registration of electors after Jan. 1, 1903 to be provided for by the legislature [§186]. Till then registration governed by regulations incorporated in the constitution.

Governor, auditor, and commissioner of agriculture and industries to be board of appointment and to name in each county within 60 days of ratification of constitution a board of registrars of three persons.

Unless disqualified under provisions previously given, any one registered before Jan. 1, 1903 remains an elector for life and need not register again except on change of residence, when he may register on production of certificate [§187].

After Jan. 1, 1903, applicant for registration may be required to state under oath his residence for preceding five years, name or names by which known during that period, and employer or employers during such period. Refusal to answer forfeits right to registration [§188].

Legislature to provide for purging the registration lists of those who die, become disqualified, or were fraudulently entered [§190]. Person whose name it is proposed to strike from the list may have trial by jury.

Poll tax, payment of which is required of each voter, \$1.50 for each man over 25 and under 45; provided that the legislature may increase the maximum age to not more than 60 [§194]. Poll tax due October 1 and delinquent February 1 but no legal process, fee or commission to be allowed for its collection. Any one paying poll tax of another or advancing money for its payment to influence his vote guilty of bribery [§195].

In trial of contested election, investigations of elections and criminal prosecutions for election law violations, only defendant may withhold his testimony on ground of incriminating himself or subjecting himself to public infamy; but person testifying shall not be prosecuted for offense arising from transaction concerning which he testified [§189].

Legislature to provide for regulating primary elections and punishing fraud at same, but not to make primary elections compulsory [§190].

**Finance. Taxation.** Maximum state tax on property decreased from 75 cents to 65 cents on \$100 [§214]. Governor may be authorized to negotiate temporary loans to \$300,000 [formerly \$100,000] to meet emergencies [§213]. County may levy  $\frac{1}{2}\%$  for general purposes,  $\frac{1}{4}\%$  for payment of debts existing at adoption of constitution in 1875, and  $\frac{1}{4}\%$  [formerly unlimited] for public buildings or bridges [§215]. Cities, towns and villages may levy  $\frac{1}{2}\%$  with added  $1\%$  for debts of 1875 [§216].

Property of private corporations, associations and individuals to be taxed at same rate [§217]; legislature to levy franchise tax proportional to capital stock [§229, 232]; but religious, educational and charitable institutions and corporations may be exempted from both franchise and general taxes [§217, 229, 232]. Local assessments for sidewalks, street paving and sewers not to exceed benefit to property [§223]. Legislature not to enact law imposing state privilege tax relieving from payment of local privilege and license taxes [§221].

**Inheritance tax.** Tax of not more than  $2\frac{1}{2}\%$  may be levied on real or personal property passing to other than father, mother, husband, wife, brothers, sisters or descendants [§219].

**Local indebtedness.** Legislature may pass general laws permitting counties, municipalities and subdivisions to issue bonds,

but such bonds to be authorized by majority vote of qualified voters [§222]. Debt limit of county,  $3\frac{1}{2}\%$  [§224]; of municipality under 6000, 5% with 3% additional for waterworks, gas or electric lighting plants, sewerage and improvement of streets, limitation not to affect temporary loans to be paid in one year and not exceeding one fourth annual revenues; of municipality over 6000, 7% exclusive of temporary loans, bonds for schoolhouses, waterworks, sewers, and street improvements assessed in whole or in part on abutting property [§225]. Municipality with present debt exceeding limit not to incur further debt till reduced to constitutional limit [§226].

**Education.** New constitution greatly increases the mandatory appropriations for schools. Preserving old sources, it appropriates nearly one half the annual state taxes on property. State to levy annual school tax of 30 cents on \$100 [formerly not less than \$100,000] provided total state tax shall not exceed 65 cents on \$100 and bonded indebtedness with interest shall be first provided for [§260]. Fund to be apportioned to counties in proportion to school population; and in county to schools so as to provide terms of equal length as far as possible [§256]. Legislature to provide for school census not oftener than once in two years and state superintendent of education may order new census in division where he suspects fraud [§268]. Counties may levy school tax to 10 cents on \$100 if approved by three fifths of the voters, provided state and county tax shall not exceed \$1.25 per \$100 in addition to special tax for public buildings, roads, bridges and debts at ratification of constitution in 1875 [§269]. This tax to be so apportioned through county as to extend school terms by same length of time as nearly as practicable.

Former constitution provided that there should be separate schools for white and colored races, and new adds "no child of either race shall be permitted to attend a school of the other race" [§256]. Both constitutions provide for the popular election of the state superintendent of education [§114].

Not less than \$36,000 to be paid from state treasury annually to the state university as interest on the funds of the university; the legislature may abolish the military system of the university or reduce it to a department, but shall not therefor reduce the



amount of interest payable [§265]. Trustees of university to hold office for 12 years, one third elected every four years; to be chosen by remaining members of board on secret ballot and confirmed by senate. In case of rejection, senate to elect trustee [formerly governor with senate appointed for six years] [§264]. Trustees of Alabama polytechnic institute [formerly agricultural and mechanical college] to hold office 12 [formerly six] years one third appointed by governor every four years [§266]. Legislature may not change location of state university, polytechnic institute, schools for deaf and blind or girls industrial school except by two-thirds vote by yeas and nays, entered on the journals [§267].

**Public service corporations.** No person or corporation to use streets or public places of municipality without consent of local authorities [§220]. No municipality over 6000 to grant franchise for use of streets and public places for longer period than 30 years, except to railroads other than street railroads [§228]. Person or corporation constructing or operating public utility along streets of municipality under privilege or franchise liable to abutting proprietors for actual damage [§227].

During appeal from assessment of damages in condemnation proceedings, those obtaining judgment to have right of entry by paying damages assessed into court in money and giving bond in double the amount [§235]. State lands not to be given to individuals, private corporations or railroad companies; nor sold to corporations for lesser price than to individuals; provided rights of way not exceeding 125 feet in width may be granted for railroad, telegraph or telephone lines as a mere easement [§99].

**Railroads and canals.** Issuing passes to legislators and officers exercising judicial functions prohibited [§244]. Legislature to pass laws with adequate penalties to regulate passenger and freight tariffs and locating and building of depots, to correct abuses and to prevent unjust discrimination and extortion [§243]. Railroads not to give rebate or bonus or deceive public as to rates [§245].

**Banks and banking.** Banks may be established with authority to issue bills, circulating as money, in amount equal to face value of bonds of United States or Alabama deposited with state

treasurer or other legally designated depository [§248]. Legislature to provide for semiannual reports of resources and liabilities from banks, banking institutions and trust companies, except national banks, and for their inspection by some public officer [§254].

**Trusts and combinations.** "The legislature shall provide by law for the regulation, prohibition or reasonable restraint of common carriers, partnerships, associations, trusts, monopolies, and combinations of capital, so as to prevent them or any of them from making scarce articles of necessity, trade or commerce, or from increasing unreasonably the cost thereof to the consumer, or preventing reasonable competition in any calling, trade or business" [§103].

**Amendments and constitutional convention.** Amendments to constitution may be proposed to the people by three-fifths [formerly two-thirds] vote of members elected to each house [§284]; to be submitted to vote of electors either at the next general election [formerly for representatives] or at special election not less than three months after final adjournment. A majority of those voting on the amendments sufficient [formerly a majority of all votes cast at the election]. Constitutional conventions may be called by majority vote of each house of the legislature, but act must be submitted to the people and approved by a majority of those voting [§286].



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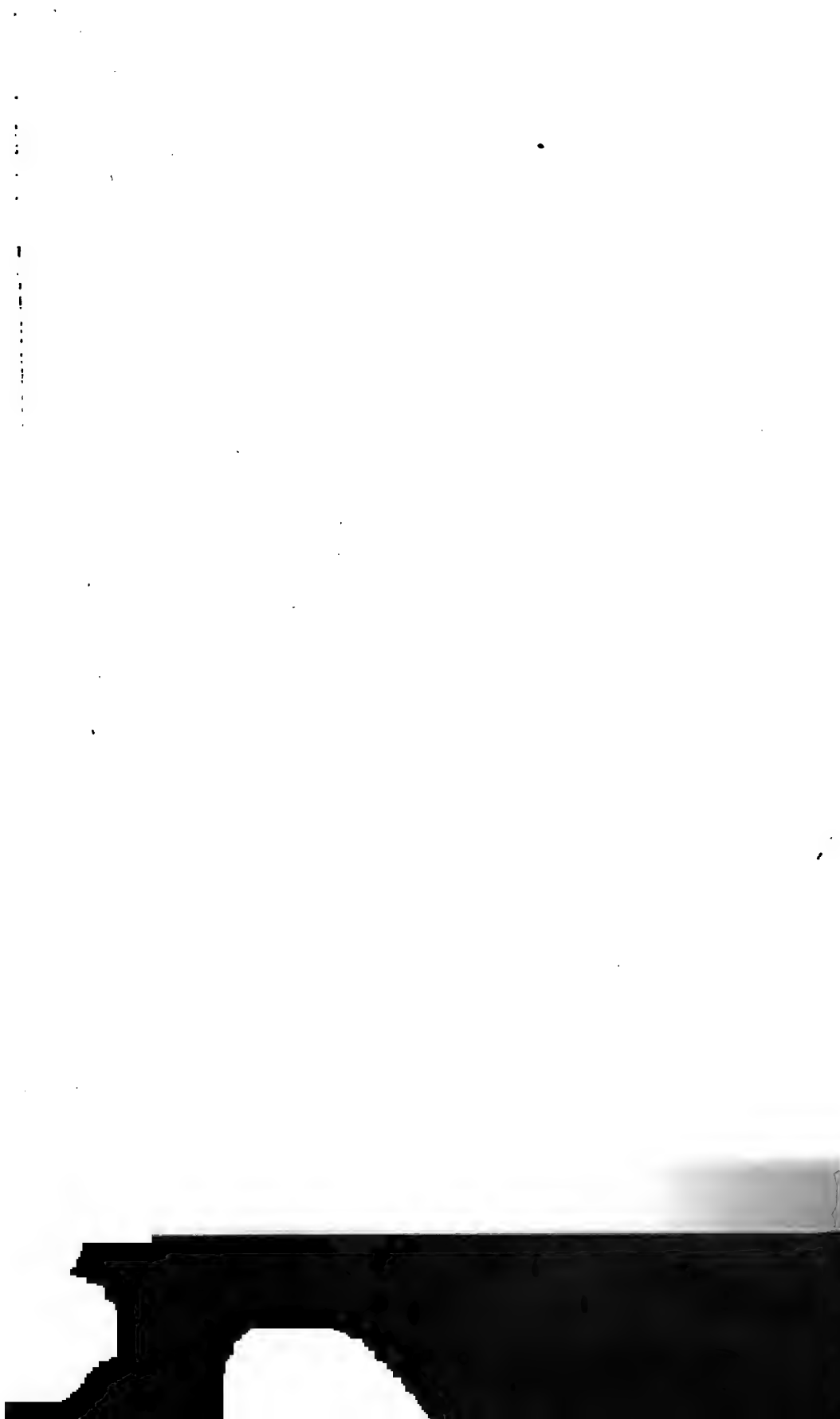
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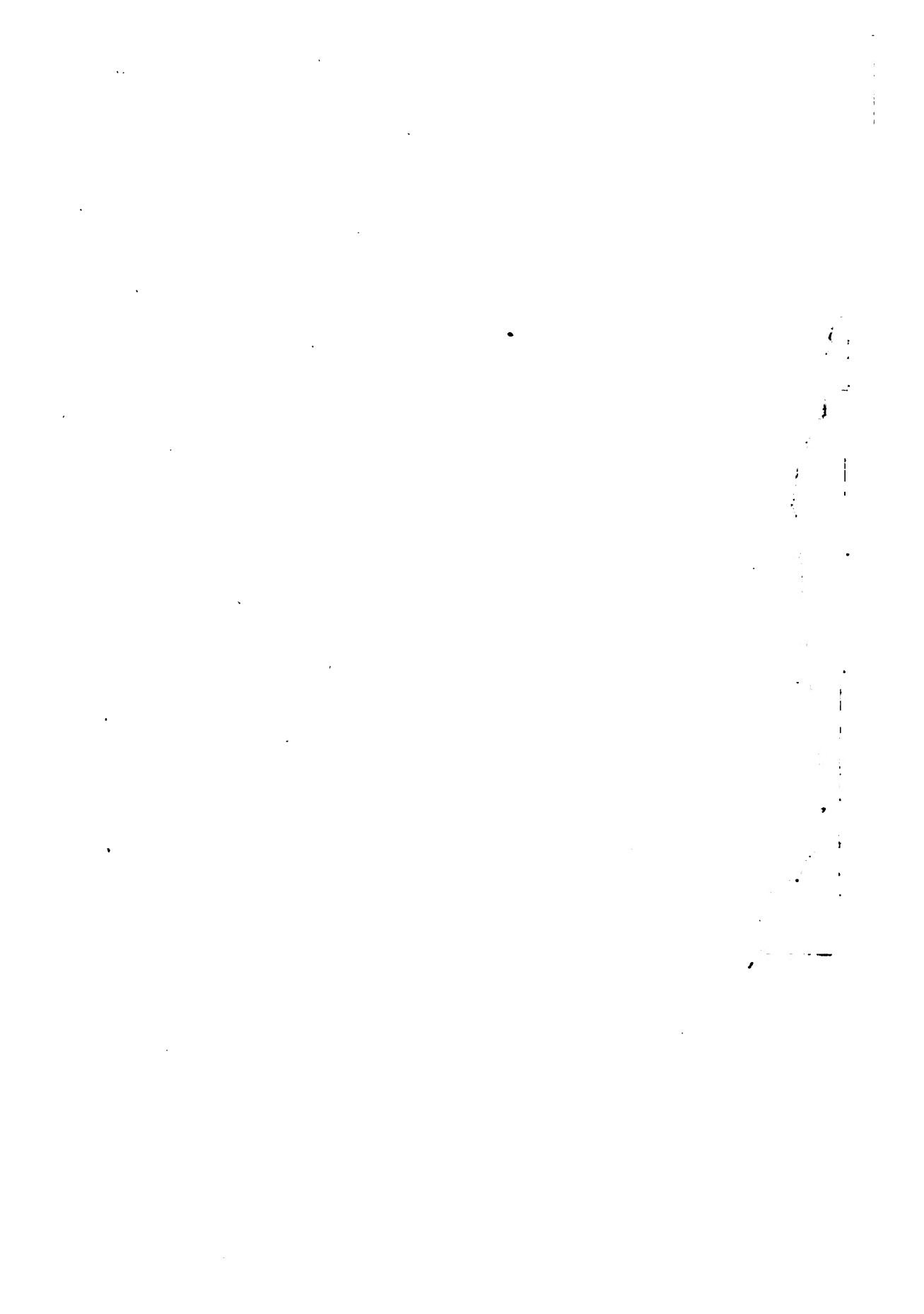
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